

# EXHIBIT D

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## Smith Economics Group, Ltd.

A Division of Corporate Financial Group  
*Economics / Finance / Litigation Support*

*Stan V. Smith, Ph.D.  
President*

June 18, 2015

Mr. Thomas Dunlap  
Dunlap Bennett & Ludwig  
211 Church Street SE  
Leesburg, VA 20175

Re: ZURU

Dear Mr. Dunlap:

### **I. ASSIGNMENT**

You have asked me to investigate the claims that Tinnus Enterprises and ZURU Ltd. have suffered harm from Telebrands Corp.'s infringement on the U.S. Patent owned by Tinnus and licensed to ZURU.

### **II. QUALIFICATIONS AND EXPERIENCE**

I am President of Smith Economics Group, Ltd., headquartered in Chicago, IL, which provides economic and financial consulting nationwide. My curriculum vita is attached, listing all my publications in the last 10 years and beyond (Exhibit 1).

I received my Bachelor's Degree from Cornell University. I received a Master's Degree and my Ph.D. in Economics from the University of Chicago; Gary S. Becker, Nobel Laureate 1992, was my Ph.D. thesis advisor.

As President of Smith Economics, I have performed economic analyses in a great variety of engagements, including business valuation, financial analysis, antitrust, contract losses, a wide range of class action matters, employment discrimination, and intellectual property valuations including evaluations of reasonable royalty.

I am a member of various economic associations and served for three years as Vice President of the National Association of Forensic Economics (NAFE) which is the principal association in the field. I was also on the Board of Editors of the peer-reviewed journal, the Journal of Forensic Economics, for over a decade; I have also published scholarly articles in this journal. The JFE is the leading academic journal in the field of Forensic Economics.

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I am the creator and founder of Ibbotson Associates' Stock, Bonds, Bills, and Inflation (SBBi) Yearbook, Quarterly, Monthly, and SBBi/PC Services published by Morningstar, Inc. SBBi is widely relied upon and regarded as the most accepted and scholarly reference by the academic, actuarial and investment community, and in courts of law. I have worked as an economic and financial consultant since 1972, after completing an Internship at the Federal Reserve, Board of Governors, in Washington, D.C.

I wrote the first textbook on Economic Damages that has been used in university courses in various states; as an adjunct professor, I created and taught the first course in forensic economics nationwide, at DePaul University in Chicago.

In addition, I have worked in investment banking, initially as an investment banking analyst and financial analyst at The December Group in 1975. Over the years I have raised millions of dollars in capital for new and existing enterprises, for venture capital enterprises, and for firms that I have founded. I have also worked on many mergers and acquisitions and have conducted many business valuations.

### **III. INFORMATION REVIEWED**

In order to perform my evaluation, I have reviewed the complaint (Civ. Action No. 6:15-CV-00551, U.S. District Court, Eastern District of Texas) and its exhibits, including U.S. Patent No. 9,051,066, assigned to Tinnus Enterprises, entitled "System and Method for Filling Containers with Fluids", dated June 9, 2015. I have reviewed numerous emails sent to ZURU and Tinnus. I have reviewed phone calls made by consumers confused about the similarity between Bunch O Balloons and Balloon Bonanza. I have reviewed internet comments on such forums as Youtube, Kickstarter, Facebook, and Shopify indicating consumer confusion between these two products. I have reviewed internet product reviews for Balloon Bonanza and Bunch O Balloons. I have reviewed internet comments from consumers of Telebrands products. I have reviewed articles related to Telebrands' product quality issues, customer service issues, and legal issues. I have reviewed images of Bunch O Balloons and Balloon Bonanza, as well as the websites for these two products. I have reviewed marketing information from iSpot and Youtube for Balloon Bonanza. I have interviewed Ms. Anna Mowbray, the Chief Operating Officer of ZURU and Mr. Josh Malone, the inventor of Bunch O Balloons. I have also reviewed relevant research on the topics discussed in the body of this report. Documents specifically referred to in the body of my opinion are listed as exhibits.

### **IV. BACKGROUND AND DISCUSSION**

Mr. Josh Malone is the founder and sole owner of Tinnus. He developed a revolutionary new toy product in early 2014 that would later be marketed as Bunch O Balloons. He filed a provisional patent application for his invention on February 7, 2014, and a further provisional patent application on February 20, 2014. He filed a non-provisional patent application on September 22, 2014 that superseded his previous two applications. He manufactured the first batch of his product in June 2014. He launched a Kickstarter campaign for his Bunch O

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Balloons product on July 22, 2014. His \$10,000 funding goal was reached within 12 hours and he raised over \$500,000 within five days, and has raised nearly \$1,000,000 to date through Kickstarter. His Kickstarter product launch earned him publicity in such publications as *Sports Illustrated*, *Time*, and *People*, as well as *Good Morning America* and the *Today* show. Public interest and demand for his product increased throughout July and August 2014 and Tinnus entered into a license agreement with ZURU, whereby Tinnus granted ZURU an exclusive license to certain intellectual property rights, including patents, relating to the Bunch O Balloons product. In late summer or early fall 2014, Telebrands decided to sell a copy of Bunch O Balloons. Telebrands began marketing this copied product as Balloon Bonanza in December 2014. The U.S. Patent and Trademark Office approved Mr. Malone's patent application and issued U.S. Patent No. 9,051,066 on June 9, 2015, which is entitled "System and Method for Filling Containers with Fluids".

### **V. OPINION**

#### **A. Consumer Confusion**

Consumer confusion is a well-recognized harm in the area of patent infringement. Consumer confusion has long been associated with unfavorable consequences for both consumers and manufacturers, including negative word-of-mouth, dissatisfaction, decision postponement, and shopping fatigue (Mitchell et al., 2005). Overall consumer confusion can occur when consumers are presented with products (or information about them) that are too similar, too complex, too ambiguous, or too numerous (Matzler et al., 2007). When consumers are prone to be confused between similar product offerings, they experience lower marketplace trust and overall satisfaction (Walsh and Mitchell, 2008). If a consumer purchases an imitating product without realizing it, the consumer will likely attribute any resulting dissatisfaction to the whole product class. Since copy-cat products are sometimes inferior to the copied products, attributing poor performance to the entire product class is especially harmful for newly introduced products (Kapferer, 1995), such as Bunch O Balloons.

There is substantial evidence that illustrates consumer confusion in this case. For example, Mr. Malone received an email from Wendy Manning, the Associate Publisher of AKA Mom Magazine, on April 16, 2015, mistakenly offering him an editorial review opportunity for Balloon Bonanza (Exhibit 2). The following are additional examples of confusion between these two products conveyed in emails (Exhibit 3):

- Carrie Jeske to Josh Malone on January 16, 2015: "Did the company you went with sublicense to Telebrands or did you?"
- John Harty to Bunch O Balloons dated February 1, 2015: "I placed an order a few months ago. I just wanted to make sure an April delivery is still on track, son's birthday is in May. Also is balloon bonanza your same product or a competitor?"
- Jill Sheldon to Bunch O Balloons dated April 7, 2015: "I saw a commercial on the balloons bonanza, looks like someone stole your idea. Or is that yours too?"
- Marquis Murphy to Bunch O Balloons on April 8, 2015: "Are you guys also Balloon Bonanza; because it looks like they have your exact product?"

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- Faith Waters to Bunch O Balloons on April 9, 2015: “I was an original Kickstarter backer of bunch o balloons. We got our balloons on time but have not yet used them. We saw a commercial on TV about a product that was the same called Balloon Bonanza. Did you sell the rights to this? I thought there was a patent on this design?”
- Mike Baxter to Josh Malone on April 17, 2015: “I just wanted to say hi and also ask about this Balloon Bonanza commercial I saw on TV today. Is that yours or did somebody do a copycat version? I hope it’s your commercial and you have a new name.”
- Julie Lacatena to Bunch O Balloons dated April 20, 2015: “I saw this on Kickstarter with my daughter and we are interested in buying some for the summer time. We also saw a similar product “Balloon Bonanza” on TV. Is it a competitor or the same product?”
- Kate X Messer, Senior Editor of the Austin Chronicle, to Tinnus on May 11, 2015: “Are Bunch o Balloons and Balloon Bonanza related? Or are the two companies strictly competitors?”

I have reviewed further emails and other easily accessible online forum comments from Shopify, Kickstarter, Youtube, and Facebook demonstrating consumer similarity confusion (Exhibit 4). These comments show that many consumers are uncertain whether Balloon Bonanza is related to Bunch O Balloons or whether Balloon Bonanza is merely a copy of Bunch O Balloons. Trina Rodriguez sent emails to Bunch O Balloons on June 5, 2015. She thought that she had purchased Bunch O Balloons and states that “they filled up great but within 10 mins all the water released from the balloons”. She sent a follow-up email, stating that she purchased Balloon Bonanza mistakenly and emailed the wrong company to vent her frustration (Exhibit 5). Denise Martin sent an email to ZURU on June 11, 2015 to indicate that she purchased two sets of Balloon Bonanza at Walmart and about half of the balloons “had leaked the water out of them and were not useful”. She also wrote the email to bring the problem to the attention of ZURU, who she appears to have believed is the manufacturer of Balloon Bonanza (Exhibit 6). There is clear evidence of confusion among product reviewers, advertisers, and consumers about the relationship between these two products.

Furthermore, these documented cases of similarity confusion between these products understate the actual confusion present in the market. Many consumers may not recognize their own confusion. When consumers recognize their confusion, only a small fraction can be expected to communicate their confusion through internet forums or direct communication to ZURU via calls or emails. The well-known phenomenon of participation inequality, commonly referred to as the 90-9-1 principle or one percent rule in online communities, observes that 90 percent of actors observe and do not participate, 9 percent contribute sparingly, and 1 percent of actors create the vast majority of new content. These groups are referred to, respectively, as “lurkers”, “contributors”, and “superusers” (Carron-Arthur et al., 2014). According to Jakob Nielsen, Ph.D., “All large-scale, multi-user communities and online social networks that rely on users to contribute content or build services share one property: most users don’t participate very much. Often, they simply lurk in the background” (Exhibit 7). The same principle of minority user participation applies to normal product feedback and consumer reviews; not everybody who has a negative experience will share their experience. The numerous internet comments and emails demonstrating consumer confusion between Bunch O Balloons and Balloon Bonanza illustrate that the confusion is widespread and only represent a fraction of the number of confused consumers.

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The evidence of consumer confusion demonstrated in Exhibits 3 through 6 illustrates that consumers did not automatically associate Mr. Malone's patented invention with Bunch O Balloons. As I result, I can conclude that Bunch O Balloons was not able to build mind share, or adequate consumer awareness and popularity, in the market. Based on the evidence reviewed, it is my opinion that there is consumer confusion as a result of the patent infringement.

### **B. Loss of Goodwill and Damage to Reputation**

When consumers confuse similar products, the innovator loses control of the perception of quality of their innovation, likely damaging their goodwill and reputation. A firm's goodwill includes its intangible assets, such as its name, reputation, customer patronage, location, patents and similar factors that generate economic benefits to the firm. Goodwill is a function of the future expected profits of a company. The future expected profits of ZURU are clearly lower with the presence of Telebrands in Bunch O Balloons' market.

Economic research suggests that there is significant value in a company's good reputation. For example, studies of internet auction sites show that sellers with even a few positive reports are more likely than sellers with no history to receive bids and to have their auctions result in a sale (Livingston 2005). Also, reputation effects are strongest and most important in the initial phase of a game, when the players must work hard to establish a good reputation (Dellarocas 2003).

Telebrands has an extremely poor historical customer service record and its status as an "Accredited Business" with the Better Business Bureau (BBB) has been revoked. The BBB received 1,397 complaints in the three years prior to revoking Telebrands' status (Exhibit 8). Consumer complaints for Telebrands' products can be found far and wide on the internet (Exhibit 9). Telebrands recalled its Therma Scarf product in March 2010 because of a fire and burn hazard (Exhibit 10). Telebrands was charged by the Federal Trade Commission (FTC) with making false claims in the marketing and sale of their "Ab Force" exercise belt in 2003 and, prior to this action, the FTC had taken four previous actions against Telebrands (Exhibit 11).

According to the complaint, Telebrands' legal problems have been myriad and it has been sued more than 50 times since 1983 for infringement of intellectual property rights (Exhibit 12). Telebrands has been accused of violating New Jersey consumer protection laws and a complaint was filed against Telebrands by the New Jersey Attorney General and the New Jersey Division of Consumer Affairs in August 2014 (Exhibit 13). New Jersey's complaint against Telebrands alleges that the company "violated the Consumer Fraud Act through its practice of aggressively upselling products through its automated phone system and websites, failing to provide means for consumers to opt out of the ordering process, shipping and billing for products not ordered by consumers, and using misleading advertisements, among other violations" (Exhibit 14).

Balloon Bonanza has a poor product quality record fitting Telebrands' reputation. 59 percent of Balloon Bonanza's Amazon reviews give the product only one star. Balloon Bonanza's average Amazon customer rating is only 2.5 stars out of a total of five stars, which is substantially lower



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than Bunch O Balloons' average Amazon customer rating. The following are examples of Amazon reviews of Telebrands' Balloon Bonanza (Exhibit 15):

- By GMH on June 12, 2015: "Balloons do not fill up all the way making them near impossible to have any kind of balloon war with...we spent more time chasing the balloons that failed to pop across the street before they burst open on any grass, which most were duds anyway. I do not recommend this item and will not purchase again. Sticking to the old school method-which is more fun, even if it is time consuming. Rushing ends up wasting. Lesson Learned."
- By B. Fritzsche on June 13, 2015: Unfortunately, I did not check reviews before purchasing this product in store. Same problems as several other reviewers: balloons did not fill up all the way (or at all), they were so rubbery and bouncy that the only way to break them is to step on them on concrete or throw them as hard as you can on the ground, and they shrank after only a few minutes. Completely useless product and a HUGE waste of money. I would rather just take the time to fill the taps myself."

These Amazon comments indicate that Balloon Bonanza's quality issues have soured some customers not just on the Balloon Bonanza product, but also on the concept created by Mr. Malone and also used by Bunch O Balloons. This directly impacts the reputation and goodwill of ZURU and Tinnus, as well as Mr. Malone's personal reputation as an inventor. In fact, Mr. Malone reports that he personally received emails equating Balloon Bonanza's quality problems with the poor quality of his invention. Furthermore, the consumer confusion described in the previous section means that some consumers will mistakenly attribute Balloon Bonanza's poor product quality directly to ZURU.

Ms. Mowbray reports that Telebrands began an advertising campaign for Balloon Bonanza in December 2014. She believes that Telebrands did not begin fulfilling and shipping orders it received for five months after starting its marketing campaign. Mr. Malone states that he tried to order Balloon Bonanza's product several times during this period of non-fulfillment but his orders never shipped (Exhibit 16). He reports that he does not know of anybody who actually received Balloon Bonanza until April 2015. Balloon Bonanza's extensive back orders are one of the most frequent complaints made by customers for this product on [www.tvstuffreviews.com](http://www.tvstuffreviews.com), an online aggregator of customer reviews (Exhibit 17). Balloon Bonanza's average customer rating on this website is only 2.1 stars out of five, which is even lower than Balloon Bonanza's average customer rating on Amazon. Bunch O Balloons is not reviewed on this website. The following [www.tvstuffreviews.com](http://www.tvstuffreviews.com) reviews indicate that Telebrands' problems filling and shipping orders did not end in April 2015 (Exhibit 18):

- Janelle on May 5, 2015: "I bought this over a week ago and paid \$5.99 for shipping plus an extra \$9.99 for 3-5 day priority. I did not receive my order yet and checked the status online and it is now on backorder. Very misleading and poor service to promise 3-5 days and not notify the customer of any backorder status until after the product is expected to arrive. Now being told 3-6 weeks."
- Tom on May 22, 2015: "They took my money then called me five weeks later and wanted the money again. Needless to say they won't get a dime from me. Took them too long to process it so my card returned my money."

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Ms. Mowbray believes that Telebrands' initial marketing campaign was fraudulent and was a disguised market research study designed to gauge customer demand for this product. Telebrands' actions in failing to ship and fulfill Balloon Bonanza orders appear to be consistent with its poor customer service track record generally.

It is my opinion that the poor quality of Balloon Bonanza, Telebrands' poor customer service track record historically, and Telebrands' failure to fill Balloon Bonanza orders have tarnished the brand name and reputation of Bunch O Balloons. Ms. Mowbray reports that ZURU and Tinnus have received notifications from many consumers indicating damage to reputation based on the substantial marketplace confusion between Bunch O Balloons and Balloon Bonanza. Additionally, since only a small percentage of confused consumers will communicate their confusion, as mentioned previously, the vast majority of confused consumers still associate ZURU with Balloon Bonanza, or Telebrands with Bunch O Balloons. ZURU's reputation will be much lower in the minds of these still-confused consumers.

Telebrands polluted the stream of potential buyers of Bunch O Balloons with their marketing tactics, severely harming ZURU and Tinnus. Based on the evidence reviewed, it is my opinion that there has been significant loss of goodwill and serious damage to the reputations of ZURU and Tinnus as a result of the patent infringement.

### **C. Price Erosion**

Economic theory suggests that the presence of patent infringers in a market will drag prices lower than they otherwise would have been absent these unauthorized competitors (Bohrer et al., 2008). Price erosion is based on the idea that firms selling infringing products do not incur the expenses to develop the patented invention and are able to sell their copied product at a lower cost than the patent holder, which has to recoup initial investments. Additionally, the mere presence of another competitor in the market will cause prices to decrease, causing price erosion. A duopoly situation will nearly always result in a lower price than in the monopoly situation (Werden et al., 2000).

Ms. Mowbray and Mr. Malone report that the original price of Bunch O Balloons was about \$17 (Exhibit 19). She states that Bunch O Balloons was not able maintain its price after Balloon Bonanza entered the market. She states that ZURU began a Direct Response marketing campaign on about April 28, 2015, and set the price of their product to be \$12.99 plus \$5.99 for shipping and handling (Exhibit 20). She reports that in mid-May 2015, ZURU began shipping Bunch O Balloons to retailers and gave wholesale buyers guidance that the retail price should be between \$9.99 and \$12.99. She states that ZURU has since directed buyers that the sales price should be \$9.99. She believes that this price is lower than Balloon Bonanza's retail price. However, upon investigation, at least one retailer is offering Telebrands' Balloon Bonanza at a lower price than Bunch O Balloons (Exhibit 21). She states that ZURU wants to offer Bunch O Balloons at a better price than Telebrands does for Balloon Bonanza. She reports that the competition from Balloon Bonanza pushed the price of Bunch O Balloons lower. She states that Balloon Bonanza's poor quality built a perception that Bunch of Balloons was also a low quality



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product. She reports that this perception has also caused the sales price of Bunch O Balloons to fall.

Economic theory suggests that once price erosion has occurred, even if Balloon Bonanza were to exit the market, Bunch O Balloons would not be able to raise prices to the level at which they were previously set. Consumers have become accustomed to Bunch O Balloons being set at a lower price due to competition from Balloon Bonanza and many may not now be willing to pay higher prices for it. This phenomenon has been noted to occur in the toy industry (Exhibit 22). The economic idea of partial nominal rigidity suggests that prices for goods vary and go up and down, but not nearly as much as if prices were perfectly flexible. The costs incurred to change prices are known as menu costs (Exhibit 23). Even though prices may change often temporarily, as they do for special sales, they fluctuate around a reference cost, which generally only changes about once a year (Eichenbaum et al., 2009). Based on the evidence reviewed, it is my opinion that there has been significant price erosion as a result of the patent infringement.

### **D. Loss of Business Opportunities**

Merely by selling its knock-off product, Telebrands has caused a loss in business opportunities for ZURU. A patent for an invention is the grant of a property right to the inventor. This property right allows the inventor “the right to exclude others from making, using, offering for sale, and selling the patented invention” for a limited period of time (<http://www.uspto.gov/patents-getting-started/general-information-concerning-patents>). The unauthorized sale of a patented product by a competitor represents a loss of business opportunities. Just as the presence of a squatter diminishes the landowner’s ability to use his/her property, a patent infringer actively selling a patented product diminishes the patent holder’s ability to use his/her property and generate the maximum economic benefit from his/her intellectual property rights. This limits business opportunities both in the present and in the future.

Ms. Mowbray reports that Bunch O Balloons is currently being sold at stores such as Walmart, Walgreens, Target, Bed Bath & Beyond, and Toys “R” Us, in addition to its direct response campaign. She reports that Balloon Bonanza is also being sold in these stores. She reports that stores use different buyers that work independently to stock store shelves with different types of products. She states that “As Seen on TV” products and conventional toys are covered by distinct and different buyers. She reports that Bunch O Balloons uses conventional toy buyers to get on shelves in the toy sections, whereas Balloon Bonanza is mainly found on shelves with other “As Seen on TV” products. She reports that, despite generally being found in different locations inside stores, Bunch O Balloons and Balloon Bonanza are in direct competition in stores that comprise 80 percent of the product’s market. The presence of Balloon Bonanza on shelves in the same stores as Bunch O Balloons dilutes the Bunch O Balloons brand and diverts attention from it. Telebrands has reduced ZURU’s market share and limited its access to potential customers.

Josh Malone received an email from Chris Garcia of Starco Impex dated April 23, 2015, offering to buy wholesale cases of Bunch O Balloons products, but stating that they would also solicit

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Balloon Bonanza and would need to receive a good price to strike a deal, showing that Bunch O Balloons and Balloon Bonanza may also be competing with each other for buyers or distributors (Exhibit 24). Competition with Telebrands will limit the number of buyers and distributors that ZURU can do business with for Bunch O Balloons. ZURU and Tinnus have lost the ability to form new partnerships and secure future business deals with companies that distribute and sell Telebrands' Balloon Bonanza.

Both Bunch O Balloons and Balloon Bonanza are offered via direct response TV marketing campaigns. Telebrands' marketing campaigns for Balloon Bonanza siphon attention away from Bunch O Balloons and reduce the number of Bunch O Balloons buyers. Balloon Bonanza competes with Bunch O Balloons for advertising slots as well as for consumers. According to information from [www.ispot.tv](http://www.ispot.tv), advertisements for Balloon Bonanza ran on April 10, 2015 on television programs such as *Pokemon:XY* and *The Amazing World of Gumball* on Cartoon Network, *Degrassi* on Teen Nick, *Booster* on Disney XD, *College Swimming & Diving* on ESPN, and *Inside the NBA* on NBA TV (Exhibit 25). Many direct response marketing efforts are designed to either sell to retailers, or "to promote awareness of, and drive traffic to a product already stocked in stores", rather than generate sales on the merits of the direct response advertisement itself (<http://priceonomics.com/the-economics-of-infomercials/>). Each of Balloon Bonanza's TV ads limits Bunch O Balloons' ability to grow consumer interest in its product. Just as the presence of Balloon Bonanza on shelves in stores dilutes the Bunch O Balloons brand and diverts attention from it, the presence of Balloon Bonanza's TV advertisements has the same effect.

Mr. Malone reports that he is a full-time inventor and is in the prime of his inventing career. He states that he has not been able to advance his career and develop new inventions because of the large amount of time he has spent fighting Telebrands' infringement so far. He reports that his future business opportunities will be limited. The same principle applies to ZURU: the substantial amount of time and money they are spending enforcing his patent rights in this case is limiting its ability to invest in building its business. Furthermore, the sales price erosion and the loss of sales due to competition with Balloon Bonanza decrease the revenues and profits accruing to Bunch O Balloons. Based on the evidence reviewed, it is my opinion that there is a significant loss of business opportunities and a significant loss of market share as a result of the patent infringement. The loss of present and future business opportunities represents a severe damage to Tinnus and ZURU.

### **E. Conclusion**

It is my opinion that Tinnus and ZURU have suffered and continue to suffer very serious, substantial, and irreversible harm by the infringement of Tinnus's patent by Telebrands on the grounds of consumer confusion, price erosion, loss of goodwill and damage to reputation, and loss of business opportunities and market share.

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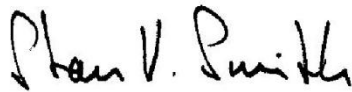
All opinions expressed in this report are clearly labeled as such. They are rendered in accordance with generally accepted standards within the field of economics and are expressed to a reasonable degree of economic certainty. Estimates, assumptions, illustrations and the use of benchmarks, which are not opinions, but which can be viewed as hypothetical in nature, are also clearly disclosed and identified herein.

In my opinion, it is reasonable for experts in the field of economics and finance to rely on the materials and information I reviewed in this case, for the formulation of my substantive opinions herein.

If additional information is provided to me, which could alter my opinions, I may incorporate any such information into an update, revision, addendum, or supplement of the opinions expressed in this report.

If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan V. Smith". The signature is written in a cursive, slightly stylized font.

Stan V. Smith, Ph.D.  
President

# EXHIBIT 1

# 101  
**SEG****Smith Economics Group, Ltd.**

A Division of Corporate Financial Group

*Economics / Finance / Litigation Support**Stan V. Smith, Ph.D.  
President***S T A N V. S M I T H, P H. D.****Smith Economics Group, Ltd.** -- Consultants and Experts in Economics and Finance.

President, 11/85 to present. Assisted in the successful resolution of thousands of lawsuits on behalf of clients that include many dozens of the nation's largest law firms, the U.S. Department of Justice, as well as thousands of other prominent plaintiff and defense law firms in almost every state. Firm provides economic and financial consulting and economic legal analysis in federal and state courts on damages of every sort: Business Damages including antitrust damages, patent valuation, breach of contract losses, and others commercial losses; Business Valuations; Personal Injury and Wrongful Death losses including lost wages, benefits, services, and other injury losses; Hedonic Damages; Wrongful Discharge, defamation and employment discrimination; Identity Theft and other credit damages; Product Liability; Pension Fund Evaluation and Withdrawal liability, Security Losses.

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**DePaul University.** -- Adjunct Professor, College of Law, 1990 to 1994. Taught a full three-credit course in Advanced Remedies - Analysis of Economic Damages in Litigation, based on my textbook on Forensic Economics; delivered lectures to other courses in subsequent years. This was the first course taught nationwide in the area of Forensic Economics.

**Ibbotson Associates, Inc.** -- Economic and Financial Consultants. Principal and Managing Director; Originator of SBBI Subscription Services, 11/81 to 11/85. Firm provides consulting to hundreds of the nation's most prominent money managers, law firms, brokerage firms, and pension funds.

**Sequest International, Inc.** -- Founder and President, 7/77 to 11/81. Developed and financed sophisticated research, search, and recovery technologies for ancient underwater artifacts.

**The December Group, Ltd.** -- Investment Banking Consultants. Associate Economic Analyst 12/74 to 7/77. Firm specialized in mergers and acquisitions, leveraged buy-outs, divestitures and financing specialized start-ups with venture capital.

**JPMorgan Chase Bank - Chicago.** -- Staff Economist, 3/74 to 12/74. Analyzed bank credit and service pricing policies.

**Federal Reserve System.** -- Staff Economist at Board of Governors, Washington, D.C. 9/73 to 2/74.

**University of Chicago.** -- Lecturer in Public Policy Economics, 3/73 to 6/73. Research Assistant in Economics, 3/70 to 6/73.

**Midlothian Manufacturing Co.** -- Vice President, 9/68 to 3/73. Responsible for Marketing to retail and industrial clients; responsible for production control.

**EDUCATIONAL BACKGROUND:**

University of Chicago, Chicago IL. Ph.D. in Economics, 1997; Support Areas in Finance and Econometrics. Honors: Allied Chemical Scholar and Federal Reserve Internship. The University of Chicago is one of the world's preeminent institutions for the study of economics and the home of the law and economics movement.

University of Chicago, Chicago, IL. Master's Degree, 1972, Graduate School of Business; Field of Concentration in Economics.

Cornell University, Ithaca, NY. Bachelor of Science, Operations Research, 1968; Field of Concentration in Statistics, Computer Science and Industrial Engineering, Honors: John McMullen Scholar.

**PROFESSIONAL ACTIVITIES:**

American Academy of Economic & Financial Experts, Journal of Legal Economics, Manuscript Referee, 199x-2008.

American Arbitration Association, Arbitrator, 1994 to 1996;

American Board of Disability Analysts, Member & Diplomat, 2001 to present;

American Board of Disability Analysts, Professional Advisory Council, 2002 to present;

American College of Forensic Examiners, Fellow, Diplomate and Board Certified Forensic Examiner, 1996 to present;

American Economic Association, Member, 1985 to present;

American Finance Association, Member, 1985 to present;

Collegium of Pecuniary Damages Experts, Charter Member, 2008-2011;

Journal of the American Rehabilitation Economics Association: The Earnings Analyst, Manuscript Referee, 1998 to 2002;

Journal of Forensic Economics, Board of Editors, 1990 to 2001;

Journal of Forensic Economics, Manuscript Referee, 1990 to 2003;

National Academy of Economic Arbitrators, Founder and Charter Member, 1989 to 2005;

National Association of Forensic Economics, Vice President, 2000 to 2003;

National Association of Forensic Economics, Member, 1988 to present;

National Futures Association's Panel of Arbitrators, Arbitrator, 1994 to present;

**PUBLICATIONS:**

Author, "Historical Returns on Investment Instruments," Handbook of Modern Finance 1985, with Roger Ibbotson and Larry Siegel; Dennis Logue, ed., Warren, Gorham & Lamont, New York.

Author, 1988 Supp.to Vol 13, Am Jur Proof of Facts 2d on Hedonic Damages.

Author, "Economist Proposes Relief From Present Value Ruling," Chicago Daily Law Bulletin, June 8, 1988.

Author, "Hedonic Damages" Illinois Tort Report, June, 1988. 569



Author, "Hedonic Damages in Wrongful Death Cases," the ABA Journal, Sept, 1988.

Author, "Hedonic Damages," The Audio Lawyer, Vol. 6 No. 8, ALI-ABA, February, 1989.

Author, "The Hedonic Value of Life: Economic Expert Witness Testimony in Injury and Wrongful Death," Expert Evidence Reporter, Vol. 1, No. 1, September 1989, Shepard's McGraw-Hill.

Co-author: Economic/Hedonic Damages: A Practice Book for Plaintiff and Defense Attorneys, with M. L. Brookshire, Anderson Publishing Co., Cinn., Ohio, 1990.

Co-author, "Hedonic Damages and Personal Injury: A Conceptual Approach," Journal of Forensic Economics, 3(1), 1990, pp. 1-8.

Author, "Hedonic Damages in the Courtroom Setting - A Bridge Over Troubled Waters," Journal of Forensic Economics, 3(3), 1990, pp. 41-49.

Author, "Admissibility of Hedonic Damages Testimony," The Audio Litigator, Vol. 1, No. 1, April, 1990, ALI-ABA.

Author, "Hedonic Damages," with G. Magnarini, Wisconsin Lawyer, Vol. 64, No. 2, February 1991.

Author, "Hedonic Damages: Assessing the Loss of Enjoyment of Life," California State Bar Bulletin, Vol. 1, No. 8, June 1991.

Co-author, "Hedonic Damages and Personal Injury: A Conceptual Approach," Journal of Forensic Economics, 3(1), 1990, pp. 1-8; Reprinted in A Hedonics Primer for Economists and Attorneys, Compiled and Edited by John O. Ward, Lawyers & Judges Publishing Co., Chapter 7, pp. 121-129, 1992.

Co-author: 1991/1992 Cumulative Supplement to Economic/Hedonic Damages: A Practice Book for Plaintiff and Defense Attorneys, with M. L. Brookshire, Anderson Publishing Co., Cinn., Ohio, 1992.

Author, "Hedonic Damages in the Courtroom Setting - A Bridge Over Troubled Waters," Journal of Forensic Economics, 3(3), 1990, pp. 41-49; Reprinted in A Hedonics Primer for Economists and Attorneys, Compiled and Edited by John O. Ward, Lawyers & Judges Publishing Co., Chapter 6, pp. 111-120, 1992.

Author, "Spotting Bias in Plaintiffs' Economic Loss Reports: A Primer for both Sides," Illinois Bar Journal, Vol 80, No. 12, December, 1992, pp. 635-638.

Author, "Life Values: Measuring the Loss of Enjoyment of Life - Economic Analysis whose time has come," The Brief, Summer 1993, Vol. 22, No. 4 pp. 24-27, 62-63, The American Bar Association.

Co-author: 1992/1993 Cumulative Supplement to Economic/Hedonic Damages: A Practice Book for Plaintiff and Defense Attorneys, with M. L. Brookshire and Charles W. de Seve, Anderson Publishing Co., Cinn., Ohio, 1993.

Author, "Evaluating the Loss of Enjoyment of Life - Hedonic Damages," in Charles N. Simkins, ed., Analysis, Understanding and Presentation of Cases Involving Traumatic Brain Injury, National Head Injury Foundation, Wash., DC, 1993.

Author, "Hedonic Damages in Personal Injury and Wrongful Death Litigation," in Gaughan and Thornton, eds. Litigation Economics, Contemporary Studies in Economic and Financial Analysis, Vol 74, JAI Press, Greenwich, CT, 1993.

Author, "Economic Evaluation of the Loss of Enjoyment of Life - Hedonic Damages," in Damages in Tort Actions, Ch. 124, Release 29 - February 1994, Pub. 309, Mathew Bender & Co., New York.

Author, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," Journal of the Massachusetts Academy of Trial Attorneys, Vol 2, No. 1, July, 1994, pp. 65-67.

- Author, 3-Part Series, "Two Plus Two Equals -- What?" October, 1994, p. 21; "Detecting Bias in Economics," November, 1994, pp. 14 & 21; "Striving for Economic Fairness," December, 1994, pp. 24-25, California Bar Journal, The Experts.
- Author, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," MTLA News, Vol. 6, No. 4, December, 1994, pp. 3-5, Maine Trial Lawyers Association.
- Author, "Hedonic Damages: Measuring The Loss of Enjoyment of Life in Personal Injury Cases," The Prairie Barrister, Vol. 1, No. 1, Winter, 1995, pp. 3, 4, & 12, Nebraska Association of Trial Attorneys.
- Author, "Measuring The Loss of Enjoyment of life in Personal Injury Cases in Ohio - Hedonic Damages," Ohio Trial, Vol. 6, Issue 3, Summer 1995, pp. 13- 16, Ohio Academy of Trial Lawyers Education Foundation.
- Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," The Advocate, Vol. 22, No. 5, September/October, 1995, pp. 14-16, 22, The Kentucky Academy of Trial Attorneys.
- Author, "Damages for the Value of Life," North Dakota Trial Lawyers The Pleader, Vol. 18, No. 4, September 1995, pp. 9-11, 24.
- Author, "Hedonic Damages - Measuring The Loss of Enjoyment of Life in Personal Injury Cases," Law Reporter, The Journal of the Hawaii Trial lawyers Association, Vol. 7, No. 9, September 1995, pp. 8-10.
- Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases in Arizona - Hedonic Damages," Advocate, Arizona Trial Lawyers Association, November 1995, pp. 5, 7, 15.
- Co-author, "Hedonic Damages and Personal Injury: A Conceptual Approach," Journal of Forensic Economics, 3(1), 1990, pp. 1-8; Reprinted in A New Hedonics Primer for Economists and Attorneys, Compiled and Edited by Thomas R. Ireland and John O. Ward, Lawyers & Judges Publishing Co., Reading 25, 1996, pp. 325-334.
- Author, "Hedonic Damages - Measuring the Loss of Enjoyment of Life in P.I. Cases," In Brief, Iowa Trial Lawyers Association, Vol. 7/Issue 1, January-February 1996, pp. 13-15.
- Author, "Hedonic Damages in Personal Injury and Wrongful Death Litigation," in Gaughan and Thornton, eds. Litigation Economics, Contemporary Studies in Economic and Financial Analysis, Vol 74, JAI Press, Greenwich, CT, 1993; Reprinted in A New Hedonics Primer for Economists and Attorneys, Compiled and Edited by Thomas R. Ireland and John O. Ward, Lawyers & Judges Publishing Co., Reading 3, 1996, pp. 15-36.
- Author, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases and Wrongful Death Cases in New Mexico - Hedonic Damages," The New Mexico Trial Lawyer, New Mexico Trial Lawyers' Foundation, Vol. XXIV, No. 3, March, 1996, pp. 1, 60-63.
- Author with Introduction by Darrel W. Aherin, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," Idaho Trial Lawyers Association Journal, Volume 25, Number 2, Summer 1996, pp. 32-36.
- Author, "The Value of Life to Close Family Members: Calculating the Loss of Society and Companionship," The New Hedonics Primer for Economists and Attorneys, Second Edition, Edited by Thomas R. Ireland and John O. Ward, Lawyers & Judges Publishing Co., 1996, pp. 377-384.
- Author, "Pseudo-Economists - The New Junk Scientists," Federation of Insurance & Corporate Counsel Quarterly, Vol. 47, No. 1, Fall 1996, pp. 95-105.

Author with Introduction by Darrel W. Aherin, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases in Idaho - Hedonic Damages," Western Chronicle, N/D 1996, Western Trial Lawyers Association, pp. 32, 35-36.

Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases in Washington - Hedonic Damages," Trial News, Vol. 32, Number 5, January 1997, Washington State Trial Lawyers Association, pp. 29-30.

Author, "Jury Verdicts in Drunken Driving Cases," University of Chicago Ph.D. Thesis, UMI Dissertation Services, Ann Arbor, MI, 1997.

Author, "The Value of Life to Close Family Members: Calculating the Loss of Society and Companionship," American Rehabilitation Economics Association 1997 Monograph, pp. 10-16.

Author, Abstract: "Jury Verdicts in Drunken Driving Cases," Journal of Forensic Economics, 11(1), 1998, p. 67-68.

Author, "Why Juries Can Be Trusted," Voir Dire, Vol. 5, Issue 3, Summer 1998, American Board of Trial Advocates, pp. 19-21 & 25.

Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," The Neurolaw Letter, Vol. 9, No. 8, April 2000, pp. 45, 48-49.

Author, "Jury Verdicts and the Dollar Value of Human Life," Journal of Forensic Economics, 13(2), 2000, pp. 169-188.

Author, "Hedonic Damages," Izabela Z. Schultz, Douglas O. Brady, Steven Carella, Eds., Psychological Injuries at Trial, Torts Section, American Bar Association, 2003.

Contributor, "Economic Foundations of Injury and Death Damages," Roger T. Kaufman, James D. Rodgers, Gerald D. Martin, Edward Elgar Publishing, Inc., 2005.

Author, "Don't Overlook the Loss of Expanded Family Services," Trial, Vol. 42, No. 3, "Good Counsel" Column, March 2006, pg. 73.

Co-author, "What is Your Value?" Chapter 2 in Six-Figure Salary Negotiation, Michael Zwell, Platinum Press, 2008.

Co-Author, "Jury Verdicts in Drunken Driving Cases," Review of Law & Economics, Berkeley Press, 2008.

Contributor, "Determining Economic Damages," Gerald D. Martin, James Publishing Inc., 2008 & previous years' editions.

Co-Author, "Estimating the Value of Family Household Management Services: Approaches and Markups," Forensic Rehabilitation & Economics, Vol 3, No. 2, 2010, with David A. Smith and Stephanie R. Uhl, pp. 85-94.

Co-Author, "Credit Damage: Causes, Consequences and Valuation," Forensic Rehabilitation & Economics, Vol 4, No. 1, 2011, with David A. Smith and Stephanie R. Uhl, pp. 27-32.

Co-Author, "Reply to Tinari's Comment on 'Estimating the Value of Family Household Management Services: Approaches and Markups,'" Forensic Rehabilitation & Economics, Vol 4, No. 1, 2011, with David A. Smith and Stephanie R. Uhl, pp. 37-38.

Co-Author, "A Response to Jayne's Comment on 'Estimating the Value of Family Household Management Services: Approaches and Markups,'" Forensic Rehabilitation & Economics, Vol 4, No. 1, 2011, with David A. Smith and Stephanie R. Uhl, pp. 39-40.

Co-Author, "A Reply to Mr. Climo's Credit Damage Comment," Forensic Rehabilitation & Economics, Vol 5, No. 1, 2012, with David A. Smith and Stephanie R. Uhl, pp. 75-76.

Contributor, "Lost Earnings Report: Economist Expert," How To Write An Expert Witness Report, James J. Mangraviti, Jr., Steven Babitsky, Nadine Nasser Donovan, SEAK, Inc, The Expert Witness Training Company, 2014, pp. 527-542.  
 Author, "Economic Damages in Nevada," Vegas Legal Magazine, Vol 1, Issue 1, Summer 2015, pp. 24-25.

Originator of Ibbotson Associates' Stocks, Bonds, Bills, and Inflation (SBBI) Yearbook and Companion Services published by Morningstar, Inc. SBBI is the authoritative compendium of U. S. financial and investment performance data from 1926 to the present. SBBI is widely relied upon and regarded as the standard reference in courts of law and by the academic, actuarial and investment community. 2008 and all editions since 1993.

#### **PROFILES:**

The Wall Street Journal, page 1 feature article with photo;  
The Best Lawyer's in America: Directory of Expert Witnesses;  
National Law Journal, page 1 feature article with photo;  
Who's Who in the World;  
Who's Who in America;  
Who's Who in Finance and Industry;  
Who's Who in Science and Engineering;  
Who's Who in the Midwest;  
Who's Who of Emerging Leaders of America;  
Chicago Daily Law Bulletin, page 1 feature article;  
Chicago Reader, Section 1 feature article with photo;  
Like Judgment Day: The Ruin and Redemption of A Town Called Rosewood, D'Orso, Michael, 1996, Pg. 237.

#### **NATIONAL PRESENTATIONS:**

Arizona: Brain Injury Association 13th Annual Conference for Attorneys, Phoenix, September 16, 1999;  
 California: American Bar Assn. Annual Meeting, San Francisco, August 10, 1992;  
 California: American Trial Lawyers Association 2005 Winter Convention, "Making Tangible the Intangible: Replacement Household/Family Services", Palm Springs, January 29, 2005;  
 Canada: Association of Trial Lawyers of America Annual Meeting, Economic Damages, Toronto, 1991;  
 District of Columbia: Larry King Live, Washington, May 22, 1989;  
 District of Columbia: National Institute for Trial Advocacy (NITA), Seventh Annual Washington DC Masters Advocacy Program, "Direct and Cross Examination of an Economic Witness," Washington, October 15, 1991;  
 District of Columbia: National Assn. of Protection & Advocacy Systems, Inc., 19th Annual Conference, "Assessment and Proof of Damages," Washington, May 30, 1996;

District of Columbia: American Bar Assn. Annual Meeting, Washington, TIPS Aviation and Space Law, "Beyond the Horizon: What's Next in Aviation and Space Law Litigation," October 18, 2013;

Florida: Association of Trial Lawyers of America 1992 Winter Convention, Boca Raton, "Cutting Edge Developments in Economic Testimony," January 15, 1992;

Florida: Brain Injury Association 10th Anniversary Trial Lawyers Conference, Palm Beach, September 19, 1996;

Florida: National Assn. of Consumer Advocates, 2003 NACA-FCRA Conference, Building on Our Success, Panel of Experts, "What the Experts Have Learned, A View From the Witness Box, " Orlando, March 9, 2003;

Georgia: National Academy of Economic Arbitrators Annual Meeting, Differences in Economic Assumptions in Personal Injury Wage Calculations, Atlanta, December, 1989;

Georgia: National Assn. of Forensic Economics Annual Meeting, Value of Life, Atlanta, December, 1989;

Hawaii: American Bar Assn. Annual Meeting in Honolulu, HI, Speaker and Expert Witness at Mock Trial, Honolulu, August, 1989;

Idaho: Inner Circle of Advocates Annual Meeting, Sun Valley, August, 1989;

Illinois: University of Chicago 1982 Annual Management Conference on Venture Capital;

Illinois: National Assn. of Consumer Advocates, 2009 NACA-FCRA Fair Credit Reporting Act Conference, "Credit Damages: How to Estimate Them," Chicago Hyatt Regency, May 9, 2009;

Illinois: American Rehabilitation Economics Association Annual Conference, "Hedonic Damages: A Basic Approach," Chicago, June 13, 2009;

Illinois: National Assn. of Consumer Advocates, 2010 NACA Autofraud Litigation Conference, Credit Damages: How to Estimate Them," Chicago Hyatt Regency, May 16, 2010;

Illinois: SEAK 19th Annual National Expert Witness Conference, "Handling the Toughest Questions: Depositions and Trial," Rosemont, June 25, 2010;

Illinois: National Consumer Law Center 20th Annual Consumer Rights Litigation Conference, "Expert Witnesses at Trial - Handling Experts in the Courtroom," Fairmont Chicago Millennium Park Hotel, November 5, 2011;

Internet: Credit Bureau Strategy Consulting, Webinar Presentation, "The Economics of Credit Damage," September 14, 2009

Louisiana: American Bar Assn., National Institute Transportation Megaconference, New Orleans, March 5, 1993;

Louisiana: Defense Research Institute, Medical Malpractice Seminar, New Orleans, May 6, 1994;

Louisiana: Association of Trial Lawyers of America 2001 Winter Convention, Litigation at Sunrise, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases -- Hedonic Damages Over the Last Ten Years," New Orleans, February 12, 2001;

Louisiana: National Assn. of Consumer Advocates, 2005 NACA-FCRA Conference, "Litigating Accuracy Issues with Furnishers of Credit Data," Speaker on Economic Damages, New Orleans, June 5, 2005;

Michigan: Northwest #255 Air Disaster Steering Committee Mtg, Detroit, June, 1989;

Nevada: American Rehabilitation Economics Association Conference, Mock Trial Presided by Nevada Supreme Court Justice William Maupin, Reno, May 15, 1999;

Nevada: National Assn. of Consumer Advocates, 2006 NACA-FCRA Conference, "Experts on Damages," Washington, May 6, 2006;

Nevada: National Assn. of Consumer Advocates, 2006 NACA-FCRA Conference, "Breakfast with the Stars," Washington, May 7, 2006;

Nevada: Brain Injury Association of America; Mastering the Science and Trial Strategies, "Making Tangible the Intangible: Expanding the Traditional Measures," Las Vegas, April 4, 2008;

Nevada: Internet Law Leadership Summit at Aria Resort & Casino, "Calculating Complex Financial Damages," Las Vegas, November 30, 2012;

New York: Eastern Economic Association Annual Conference, "Estimating the Value of Family Household Management Services: Approaches and Markups," New York City, February 28, 2009;

New York: Eastern Economic Association Annual Conference, "Credit Damage: Causes, Consequences and Valuation," New York City, February 28, 2009;

Oregon: National Crime Victim Law Institute at Lewis & Clark Law School, Ninth Annual Crime Victim Law Conference, Due Process for Victims: Meaningful Rights in Every Case, Portland, June 11, 2010;

Pennsylvania: Swiss Re American Annual Claims Conference, "Looking to the Third Millenium," Hershey, June 3, 1996;

Texas: MADD Advanced Victim Assistance Institute Seminar, Dallas, November 12, 1994;

Texas: National Norplant Litigation Conference 1995, Houston, June 22, 1995.

#### **REGIONAL PRESENTATIONS:**

Hawaii: Western Trial Lawyers Assn. 1994 Annual Convention, "Making it Work-Trial Practice in the 90's," Maui, June 16, 1994;

Illinois: GSA Seminar "Selling your Business", Chicago, October, 1987;

Illinois: Society of Trial Lawyers, "How to Depose an Economist," Chicago, May 7, 2009;

Louisiana: Southern Trial Lawyers Assn. Annual Meeting, New Orleans, 1988;

Louisiana: Southern Trial Lawyers Assn. 1996 Mardi Gras Conference, ATLA Traumatic Brain Injury Litigation Group, "Economic Implication of a Closed Head Injury," New Orleans, February 18, 1996;

Michigan: Advocacy Institute, Continuing Legal Education, 46th Annual Seminar, "Wrongful Death of an Older Person," Ann Arbor, May 12, 1995;

Michigan: Lorman Education Services, "Direct Examination of Experts in a Traumatic Brain Injury Case," Novi, August 21, 1997;

Michigan: Lorman Education Services, "Direct Examination of Experts in a Traumatic Brain Injury Case," Livonia, August 26, 1998;

New York: Eastern Finance Assn. Special Session on Pension Fund Asset Reversions, 1985;

New York: American Reinsurance Company for Senior Claims Executives Annual Meeting, August, 1989;

Ohio: Anderson Publishing Co., Proof of Economic Damages Seminar, Cincinnati, November 2, 1990.

#### **STATEWIDE PRESENTATIONS:**

California: Arizona State Bar Fourth Annual "CLE By The Sea," San Diego, July 22-23, 1994;

Connecticut Trial Lawyer Assn., "All About Experts," Hartford, November 21, 1992;



Florida State Bar Assn., National Institute of Trial Advocacy (NITA), Advanced Trial Advocacy Seminar, Speaker and Expert Witness at Mock trial on Economic Damages, Gainesville, May 14, 1991;

Georgia Brain Injury Association & Institute of Continuing Legal Education in Georgia, "Hedonic Damages: Proving Loss of Enjoyment of Life in Non-Fatal Injury Cases," Atlanta, March 29, 2002;

Idaho Trial Lawyers Assn. Annual Meeting, Twin Falls, February 23, 1996;

Illinois State Bar Assn. CLE Series, April, 1989;

Illinois: Insurance Group of the Union League Club of Chicago, "Toward A More Rational Approach to Liability Judgments," Chicago, March 19, 1991;

Indiana State Bar Assn. Annual Meeting, October, 1989;

Indiana Trial Lawyers Assn. Annual Meeting, November 30, 1990;

Indiana State Bar Assn. "Masters in Trial" Spring Meeting, South Bend, April 18, 1997;

Iowa Trial Lawyers Assn. Annual Meeting, Des Moines, November 5, 1993;

Kentucky Academy of Trial Attorneys Damages Seminar, Louisville, August 18, 1995;

Louisiana Trial Lawyer Assn., Baton Rouge, "Winning with Experts" Seminar, November 10, 1989;

Louisiana Trial Lawyer Assn., "Winning With the Masters" Seminar, New Orleans, November 21, 1995;

Louisiana Trial Lawyer Assn., "Winning With the Masters" Seminar, New Orleans, December 10, 1997;

Massachusetts Trial Lawyers Assn., "Learn From the Experts," Boston, October 9, 1992;

Massachusetts Trial Lawyers Assn. Annual Mtg, Boston, October 29, 1993;

Michigan Trial Lawyers Assn. Annual Mtg, Wrongful Death Damages, May, 1990;

Michigan Head Injury Alliance Fifth Annual Seminar on Closed Head Injury, Detroit, March 24, 1994;

Michigan Head Injury Alliance Sixth Annual Seminar on Closed Head Injury, Detroit, March 23, 1995;

Michigan Head Injury Alliance Seventh Annual Seminar on Closed Head Injury, Detroit, March 28, 1996;

Michigan Head Injury Alliance Eighth Annual Seminar on Closed Head Injury, Detroit, March 27, 1997;

Michigan, Institute of Continuing Legal Education, "The Name of the Game is Damages--Plaintiff and Defense Strategies in Negligence and Employment Cases," Troy, July 20, 2000;

Michigan Trial Lawyers Assn. Winter Seminar, "Hedonic Damages and Other Special Economic Issues," Gaylord, February 24, 2001;

Michigan Trial Lawyers Assn. 13th Annual Seminar in the Snow, Litigation Strategies and Techniques, "Loss of Society and Household Companionship and Advisory Services," Bellaire, February 22, 2003;

Mississippi Trial Lawyers Assn. Annual Convention, "Shooting Stars Seminar," Biloxi, May 19, 1995;

Mississippi Trial Lawyers Assn. Annual Convention, "Taking Your Recovery to the Next Level: Hedonic Damages," Biloxi, May 10, 2001;

Mississippi: Arkansas Trial Lawyer Assn. "Maximizing Damages in the Personal Injury Case," Tunica, MS, October 24, 2003;

Missouri: Kansas Trial Lawyers Assn. Annual Meeting, Kansas City, December 8, 1990;

Missouri State Bar Annual Meeting, Kansas City, September 19, 1996;

Missouri State Bar CLE Seminar, Proving Damages in Catastrophic Injury Cases, "Hedonic Damages after September 11th and An Economist's View on Proving Economic Damages," Kansas City, April 19, 2002;

Missouri State Bar CLE Seminar, Proving Damages in Catastrophic Injury Cases, "Hedonic Damages after September 11th and An Economist's View on Proving Economic Damages," St. Louis, May 9, 2002;

Montana Trial Lawyer Association Fourth Annual Convention, "Proving The Intangible (Hedonic) Value of Human Life," Whitefish, July 23, 1993;

Montana Trial Lawyer Association Seventh Annual Convention, Seminar of the Masters, Polson, August 1, 1996;

Montana Trial Lawyer Association Spring Seminar, Scientific Evidence, "Making Tangible the Intangible: Loss of Enjoyment of Life, and Society & Companionship Damages," Billings, April 25, 2003;

Nevada: Required Medical and Legal Education for the Traumatic Brain Injury Case, "9/11 Victim Compensation Fund Hedonic Damages: Implications for the State of Nevada," Las Vegas, October 25, 2002;

New Hampshire Trial Lawyer Association, "Secrets & Strategies of Trial Law," Concord, October 8, 1993;

New Mexico Trial Lawyers Association Annual Meeting, Economic Damages, Santa Fe, June 22, 1991;

New Mexico Trial Lawyers Foundation Damages Seminar, Albuquerque, October 11, 1996;

North Carolina, Brain Injury Assn. of NC, First Annual Trial Lawyers Conference, "The Use of Expert Testimony in Brain Injury Litigation," Charlotte, January 26, 1996;

North Carolina, Brain Injury Assn. of NC, Second Annual Trial Lawyers Conference, "The Loss of Enjoyment of Life in Personal Injury - Hedonic Damages," Charlotte, January 24, 1997;

North Dakota Trial Lawyers Assn, Annual Meeting Trial Practice Seminar, Fargo, May 4, 1995;

Ohio Assn. of Trial Lawyers Annual Meeting, Speaker and Expert Witness at Mock Trial on Wrongful Death Damages, Toledo, April, 1990;

Ohio Head Injury Association, "Representing the Survivor of Mild Head Injury," Annual Seminar, Columbus, June 3, 1994;

Pennsylvania: Philadelphia Trial Lawyers Association CLE Lecture Series, March 17, 1993;

South Dakota Trial Lawyers Assn. Spring Seminar, April, 1989;

Texas Trial Lawyers Assn., Medical Malpractice Seminar, Wrongful Death Damages, Houston, May, 1990;

Washington State Trial Lawyers Annual Meeting & Convention, Stevenson, July 11, 1998;

Wisconsin Assn. of Trial Lawyers Annual Mtg, Wrongful Death Damages, Door County, July, 1990;

Wisconsin Brain Injury 2nd Annual Seminar, "Identifying and Understanding Traumatic Brain Injury," Green Lake, May 31, 1997.

#### **LOCAL PRESENTATIONS:**

Alaska: Alaska Trial Lawyers Assn., Anchorage, August, 1989;

California: "Value of Life: Dismal Science From the Courtroom," "Economics Department Workshop Colloquium, Pomona College, Claremont, April 17, 2006;

Illinois: Chicago North Suburban Bar Assn. May, 1988;  
 Illinois: Chicago Advocates Society, June, 1988;  
 Illinois: Northwest Chicago Suburban Bar Assn., January, 1989;  
 Illinois: Chicago Public Radio, WBEZ, February, 1989;  
 Illinois: DuPage County, Bar Assn., Chicago, May, 1989;  
 Illinois: Sangamon County Trial Lawyers Assn., Springfield, May, 1989;  
 Illinois: McHenry County Bar Assn., Chicago, May, 1989;  
 Illinois: Chicago Bar Assn. Wrongful Death Seminar, Wrongful Death Damages, February, 1990;  
 Illinois: Chicago Bar Assn. Torts Seminar, Defense Perspectives on Economic Damages, January 21, 1991;  
 Illinois: Chicago Bar Assn., Wrongful Death Seminar, February 11, 1993;  
 Illinois: Chicago Bar Assn. Effective Direct and Cross-Examination of Expert Witnesses - A Demonstration, January 9, 1995;  
 Illinois: Interstate National Corporation, "Cutting Edge Developments on Economic Damages - Defense Perspectives", Chicago, August 2, 1995;  
 Illinois: Interstate National Corporation, "Cutting Edge Developments on Economic Damages - Defense Perspectives", Chicago, September 2, 1997;  
 Illinois: Cassidy Schade & Gloor, "Catastrophic Damages...They're Back! - Limiting Damages After the Invalidity of Tort Reform," Chicago, November 18, 1998;  
 Illinois: Law Bulletin Publishing Company, Legal Career Day, Economic Outlook for Lawyer Employment, Chicago, April 13, 2004;  
 Illinois: Fox News Contributor WFLD TV, October 10 and October 15, 2008; February 25, March 24, April 10, April 20, June 17, August 3, August 26 and October 19, 2009;  
 Michigan: American Radio Network, WFOX, Detroit, January, 1989;  
 Michigan: Oakland County Bar Association Negligence Committee, Bloomfield Hills, November 5, 1996;  
 Ohio: Hamilton County, Bar Assn. Seminar on Economic Damages, Cincinnati, January 31, 1991.

#### **TELEVISION/VIDEO PRESENTATIONS**

American Bar Association Tort and Insurance Practice Section Annual Meeting, "Hedonic Damages," San Francisco, CA, August 10, 1992;  
 American Law Institute-American Bar Association, ALI-ABA Tape, "Hedonic Damages: Litigating the Loss of Enjoyment of Life," The Lawyers' Video Magazine, Vol. III Issue 20, Philadelphia, PA, December, 1991;  
 CNN: Larry King Live, May 22, 1989.

#### **PERSONAL BACKGROUND:**

Born November 16, 1946, Rhinelander, Wisconsin;  
 Graduated Nicolet High School 1964, Milwaukee, Wisconsin;  
 Honorable Discharge U.S. Army, 1975;  
 Member of Chicago Board Options Exchange, 1975-1978.

# EXHIBIT 2

5/28/2015

Malone People Mail - Editorial Opportunity



Josh Malone &lt;josh@malonepeople.net&gt;

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## Editorial Opportunity

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wendy@akamommagazine.com &lt;wendy@akamommagazine.com&gt;

Thu, Apr 16, 2015 at 11:03 AM

To: jmalone@tinnustechology.com

Dear Mr. Malone,

AKA Mom Magazine is currently working on upcoming stories regarding summer fun for kids. We are interested in reviewing your product, Balloon Bonanza, for possible editorial review. If you are interested in submitting a sample for consideration, please email me for sample shipping info. Thanks!

**AKA Mom Demographics**

Gender: Female 99.6%

Age: 25-45

Median Age: 35

Household Income

75k-100K = 78%

100K-250K = 21%

**Online Stats**

Unique Visitors Monthly: 198,180 avg.

Avg. Duration of Visit: 3:21

**Warm Regards,****Wendy Manning****Associate Publisher****AKA Mom Magazine****e: wendy@akamommagazine.com****p: 931-286-0451****www.akamommagazine.com**

The logo for AKA Mom Magazine. "AKA" is in a large, bold, sans-serif font. "Mom" is in a large, elegant, cursive script font.

**She is Mom. She is Woman.**

# EXHIBIT 3



2/24/2015

Malone People Mail - Bunch O Balloons - Did you license it?



Josh Malone <josh@malonepeople.net>

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## Bunch O Balloons - Did you license it?

1 message

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Carrie Jeske <Carrie@willitlaunch.com>

Fri, Jan 16, 2015 at 6:31 AM

To: "jmalone@tinnus.com" <jmalone@tinnus.com>

Josh,

Did the company you went with sublicense to Telebrands or did you ?

[http://www.ispot.tv/ad/7\\_uM/balloon-bonanza-super-duper-fast-and-easy](http://www.ispot.tv/ad/7_uM/balloon-bonanza-super-duper-fast-and-easy)

Carrie Jeske

Carrie@willitlaunch.com

[www.Willitlaunch.com](http://www.Willitlaunch.com)

816-255-4600



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20K

2/24/2015

Malone People Mail - Order update question



Josh Malone <josh@malonepeople.net>

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## Order update question

1 message

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**John Harty** <john.harty@att.net>

Sun, Feb 1, 2015 at 9:29 AM

To: "info@bunchoballoons.com" <info@bunchoballoons.com>

Hello,

I placed an order a few months ago. I just wanted to make sure an April delivery is still on track, son's birthday is in May. Also is balloon bonanza your same product or a competitor?

Thanks,

John

Sent from Yahoo Mail on Android

5/28/2015

Malone People Mail - Balloons



Josh Malone <josh@malonepeople.net>

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## Balloons

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**Jill Sheldon** <ihaveaman@hotmail.com>

Tue, Apr 7, 2015 at 7:28 AM

To: info@bunchoballoons.com

I was wondering if you can reuse these? Do any balloons fit on them?

I saw a commercial on the balloons bonanza, looks like someone stole your idea. Or is that yours too?

Thank you

Jill

Sent from my HTC One on the Verizon Wireless 4G LTE network

5/28/2015

Malone People Mail - Water Balloon Fight



Josh Malone <josh@malonepeople.net>

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## Water Balloon Fight

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**Marquis Murphy** <mmurphy@myyeep.org>  
To: info@bunchoballoons.com

Wed, Apr 8, 2015 at 12:04 PM

To Whom It May Concern:

I have sent out a request about our upcoming water balloon fight world record attempt. I would really like to partner with you guys because I believe you will be able to sell thousands of your product in conjunction with our event. Our event is during our city wide river festival that has million over a million participants each year.

Are you guys also Balloon Bonanza; because it looks like they have your exact product?

Thanks and Kind Regards,

Marquis Murphy  
YEPP  
Founder/CEO  
316.928.8567

Please contact us either way so that we know if we will be able to work with your organization or another.

5/28/2015

Malone People Mail - Balloon bonanza



Josh Malone <josh@malonepeople.net>

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## Balloon bonanza

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**Faith Waters** <faith.waters@hotmail.com>

Thu, Apr 9, 2015 at 9:01 PM

To: "info@bunchoballoons.com" <info@bunchoballoons.com>

I was an original Kickstarter backer of bunch o balloons. We got our balloons on time but have not yet used them. We saw a commercial on TV about a product that was the same called Balloom Bonanza. Did you sell the rights to this? I thought there was a patent on this design? I was disappointed to see a competitor already marketing this on TV.

Faith

Sent from my iPhone

5/28/2015

Malone People Mail - How's it going?



Josh Malone <josh@malonepeople.net>

---

## How's it going?

---

**Mike Baxter** <mikebaxterdesigns@gmail.com>  
To: Josh Malone <jmalone@tinnus.com>

Fri, Apr 17, 2015 at 1:54 PM

Hey Josh.

I just wanted to say hi and also ask about this Balloon Bonanza commercial I saw on TV today. Is that yours or did somebody do a copycat version? I hope it's your commercial and you have a new name.

Best regards,

Mike Baxter  
Founder - The PopcornBall



5/28/2015

Malone People Mail - product question



Josh Malone <josh@malonepeople.net>

---

## product question

---

**Julie Lacatena** <motolady@gmail.com>  
To: info@bunchoballoons.com

Mon, Apr 20, 2015 at 3:01 PM

I saw this on Kickstarter with my daughter and we are interested in buying some for the summer time. We also saw a similar product "Balloon Bonanza" on TV. Is it a competitor or the same product? I would like to support the founder of the product, and not a knockoff. The Balloon Bonanza does have a cheaper price, with more balloons it looks like so I am somewhat sure it is two separate companies. Could you please clarify? Also, what is your shipping fee? I did not go through all the steps on the website, I am sure it would have told me there but since I am emailing I figured I might as well ask.

- Julie

5/28/2015

Malone People Mail - Bunch o Balloons question for a Summer Fun mention



Josh Malone <josh@malonepeople.net>

---

## Bunch o Balloons question for a Summer Fun mention

---

Kate X <xmess@austinchronicle.com>  
To: info@tinnus.com

Mon, May 11, 2015 at 3:52 PM

Hello!

Are Bunch o Balloons and Balloon Bonanza related? Or are the two companies strictly competitors?

Thank you,  
kate

---

Kate X Messer, Senior Editor: Features/Special Issues, Internships  
The Austin Chronicle  
4000 N. I-35, Austin, TX 78751

512/454-5766  
<http://www.austinchronicle.com>  
<http://www.austinchronicle.com/intern>  
<http://www.austinchronicle.com/bestofaustin>

# EXHIBIT 4

2/26/2015

Bunch O Balloons: 100 Water Balloons in Less Than 1 Minute by Tinnus Enterprises — Kickstarter

**Maggie Zoiss** on February 7

I filled out my survey a few days after I was notified last August, I requested first available, and my reward was to be delivered July, will I be getting mine early since I see that even September delivery backers have already been receiving their orders?

And what is the deal with the Balloon Bonanza product? We just saw an infomercial and it looks like an almost identical product. They have 120 balloons for \$15, which is slightly less than the 1000 balloons for \$130 and it's available right now.

3/18/2015

Malone People Mail - Launchers Delivered



Josh Malone <josh@malonepeople.net>

---

## Launchers Delivered

---

**Ryan Shuhart** <rshuhart@tranquilblue.com>

Wed, Mar 18, 2015 at 3:08 PM

To: Josh Malone <jmalone@tinnus.com>

Cc: Ella Malone <ella@tinnus.com>

Josh,

What is the deal with these guys? Are they yours or a rip off of you ?

<https://www.buyballoonbonanza.com>

[Quoted text hidden]

2/26/2015

Frisco Moms - I just saw this on TV and I was omg that...

facebook

Sign Up


Email or Phone

Password

Log In

Keep me logged in

Forgot your password?



**Frisco Moms**  
 January 19 · 🌐

I just saw this on TV and I was omg that thing is going to sell like hotcakes! so this lil contraption fills 40 water balloons at once and clips them shut all at once... brilliant!


<http://www.ispot.tv/.../balloon-bonanza-super-duper-fast-and-...>




**Balloon Bonanza TV Commercial, 'Super-Duper Fast and Easy'**  
 Balloon Bonanza makes filling up water balloons for the entire family super easy! Fill up 40 water balloons in a freaky fast amount of time and get down to...  
 ISPOT.TV

Like · Comment · Share


 Marcela Arostegui, Danielle Khazeni, Prathiba Padmanabhan and 24 others like this.



**Yvonne Varela** But is it a one time thing? Just 40 and that's it????  
 1 · January 19 at 9:20am  
 5 Replies


**Nicole Derek Wickersham** I read a story last year about a Plano, TX dad that invented this (he called it 'Bunch O Balloons')...wonder if he sold the rights?  
<http://www.buzzfeed.com/rachelzarrell/balloon-bonanza...>  




**This Genius Dad Figured Out How To Fill 100 Water Balloons In One Minute**  
 This means (water balloon) war.  
 BUZZFEED.COM | BY RACHEL ZARRELL  
 2 · January 19 at 7:44am · Edited  
 5 Replies


**Tracy Womack** I think I'm going to 'need' this lol  
 1 · January 20 at 6:12pm


**Tai Keeney Jackson** I ordered some from the Frisco dad that sells "bunch o balloons". It was \$19 for 100 balloons and local! (Preorder)  
 1 · January 24 at 5:49am


**Paige Olsen** Cristi Van Hoff- no I did the bunch of balloons, they are actually set to arrive this week!!! I did kickstarted so I think I paid around 7 per 100 with the package I supported, I can't wait!!  
 January 19 at 7:47am


**Cristi Van Hoff** Paige Olsen is this the one you posted about a while ago?  
 January 19 at 7:42am

English (US) · Privacy · Terms · Cookies · Advertising · More

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<https://www.facebook.com/frisco.moms/posts/886666808021463>

1/1





2/26/2015




Balloon Bonanza Super Duper Fast And Easy Commercial 2014 - YouTube





## Balloon Bonanza Super Duper Fast And Easy Commercial 2014



**Toy Commercials**  
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 11
  1


1,689

**Published on Dec 18, 2014**

Balloon Bonanza Super Duper Fast And Easy Commercial 2014. Balloon Bonanza TV Spot, 'Super-Duper Fast and Easy'. Balloon Bonanza makes filling up water balloons for the entire family super easy! Fill up 40 water balloons in a freaky fast amount of time and get down to business. You can have water balloon fights, play games, and surprise your parents quickly and easily with the amazing technology of the Balloon Bonanza.

<http://www.youtube.com/user/newtoycom...>


[Balloon Bonanza](#)  
[Balloon Bonanza 2014](#)  
[Balloon Bonanza commercial video](#)  
[Balloon Bonanza advertisement](#)  
[Balloon Bonanza advertisement 2014](#)  
[Balloon Bonanza commercial](#)  
[Balloon Bonanza tv commercial](#)





- Balloon Bonanza 2014 Commercial
- Balloon Bonanza add
- Balloon Bonanza ads
- Balloon Bonanza tv ads
- Balloon Bonanza tv advertisement
- Balloon Bonanza advertisement video
- Balloon Bonanza commercial tv
- Balloon Bonanza commercial 2014
- Balloon Bonanza new commercial
- Balloon Bonanza commercial new
- Balloon Bonanza commercials
- Balloon Bonanza ad
- Balloon Bonanza toy commercial
- Balloon Bonanza toy advertisement
- Balloon Bonanza toy ad
- Balloon Bonanza toy advert
- Balloon Bonanza toy advertising
- Balloon Bonanza Game
- Balloon Bonanza New Toy Commercial
- Balloon Bonanza Game Commercial
- Balloon Bonanza Computer Game

[#Balloon](#)  
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[#Commercial](#)


<https://www.youtube.com/watch?v=n32s4NO1j6w>




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**Wubble Bubble with More Helium | EpicReviewGuys in 4k CC**  
 by EpicReviewGuys  
 263,699 views




**How To Fill 100 Water Balloons In 1 Minute | TODAY**  
 by TODAY  
 320,451 views




**Bunch O Balloons....make 100 water balloons in less than a minute!**  
 by LuckyPennyShop.com  
 8,462,002 views




**"The Oogieloves in the Big Balloon Adventure" Review**  
 by JadedCinephile  
 26,083 views




**Nick Jr App Play Smart Commercial 2014**  
 by Toy Commercials  
 6,075 views




**Kidz Bop 27 Taylor Swift, Meghan Trainor and More Commercial 2014**  
 by Toy Commercials  
 123,789 views




**[720p HD] TANGLED - "I See The Light," Complete lantern scene**  
 by TheKillerAngel  
 387,904 views




**Balloon Bonanza Extravaganza**  
 by Samantha Kermode  
 9,667 views




**1,000 Thai Sky Lantern during Loy Krathong Festival**  
 by Cinn Sri  
 4,434 views



**OBALON Balloon was featured on Alwatan TV With Dr. Ahmed Al-Fadli**  
 by Bsecretsme.com  
 300 views



**Nick Jr Nickjr.com Commercial 2014**  
 by Toy Commercials  
 387 views



**The SpongeBob Movie: Sponge Out of Water Movie CLIP - Invaders**  
 by MOVIES Coming Soon  
 171,144 views

**Giant 6ft Water Balloon - The Slow Mo Guys**

2/26/2015

Balloon Bonanza Super Duper Fast And Easy Commercial 2014 - YouTube

Category Film & Animation  
License Standard YouTube License

SHOW LESS

ALL COMMENTS (2)



Share your thoughts

Top comments ▾



**Toy Commercials** 2 months ago

#balloonbonanza #ballonbonanzacommercial #balloonbonanzasuperduperfast #ballonbonan

Reply · 👍 👎



**Timothy Morris** 2 weeks ago

Looks surprisingly a lot like bunch-o-balloons...hmmmmm

Reply · 👍 👎



by The Slow Mo Guys  
76,327,294 views



**Opel Corsa A mit Tom und Jerry**  
by MethTical93  
746,521 views



**Romper Room Punch the Ball**  
by kisabella84  
33,059 views



**The Ballooney - 2500 balloons - best office prank balloon room**  
by funtoplatv  
42,174,742 views



**Pat and Stan - Ciao Spring Ball Punch 2 (short)**  
by eonefamily  
10,578 views



**Water Balloon Bonanza**  
by glittergirl319  
1,254 views



**Scrubbing Bubbles (Commercial, 1981)**  
by The Museum of Classic Chicago Television  
645 views



**Punch Ball Critters in Three Colors - Elephant, Bear and a Pig - Blow It**  
by LuckyPennyShop.com  
14,595 views

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History

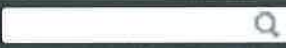


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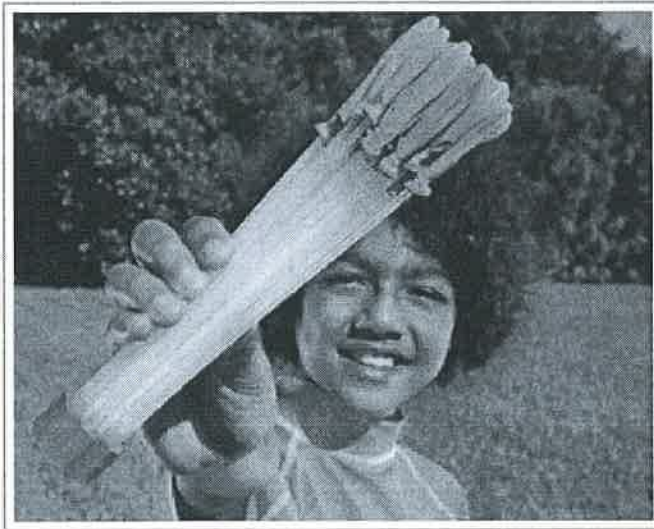
Create Blog Sign In

# The SciMark Report

THE BLOG ABOUT SHORT-FORM DRTV

JANUARY 15, 2015

## Balloon Bonanza



**Description:** A water balloon maker

**Main Pitch:** "Make mountains of water balloons freaky fast"

**Main Offer:** \$10 for one

**Bonus:** Triple the offer (free)

**Marketer:** Telebrands

**Watch it on iSpot.tv**

Is this a late pickup or really bad timing? Whatever the case, it's easy to predict failure for this product now, when sub-freezing temperatures are gripping the Northeast.

In season, I'd call it a winner. My inner child wants to pester my outer parent to buy this right now! For boys, this is at least as awesome as the latest RC attack helicopter. And parents will like that it's not another vegetative video game -- right before they realize buying it is probably the worst idea ever!

**S7 Analysis:** N/A. Like all good kid projects, this one is all about emotion. If boys think it's the coolest, gotta-have-it gadget ever, Telebrands will have a nice summer hit.

### SIGN UP

Enter your email address:

Subscribe

Delivered by FeedBurner

### ABOUT ME



**JORDAN PINE**

I am president of SciMark Corp., a firm specializing in short-form DRTV advertising. I've helped test more than 500 DRTV products in my career, many of which (such as the Finishing Touch/Micro Touch hair removers and the HD Vision line of sunglasses) have gone on to become well-known brands. My recent successes include the Wraptastic food wrap dispenser, EZ Eyes keyboard, Magic Mesh magnetic screen curtain and MyZone headphones. Before I was a marketer, I was a journalist. Before that, I was a private detective and before that, I was a paratrooper with the US Army. I have a degree in journalism from Rutgers University, where I graduated with a 4.0 GPA. I'm also a USPA-certified skydiver, a PADI-certified scuba diver and a PFI-certified freediver. I live in

2/26/2015

The SciMark Report: Balloon Bonanza

**NOTE:** You may have noticed that all four projects in today's report are from Telebrands. The reason is simple: Telebrands is the only major player putting up tests!

POSTED BY JORDAN PINE AT 6:29 PM

Westchester, NY with my wife and three children.

[VIEW MY COMPLETE PROFILE](#)

## 2 COMMENTS:



**Anonymous** January 16, 2015 at 4:18 PM

Is this the Kickstarter balloons or a knock off?

[Reply](#)



**Anonymous** January 21, 2015 at 3:20 PM

Knock off of they would have called it Bunch o Balloons

[Reply](#)

**Comment as:** Google Accot ▼

**Publish** **Preview**

## BLOG ARCHIVE

- ▼ 2015 (29)
  - February (12)
  - January (17)
- ▶ 2014 (213)
- ▶ 2013 (176)
- ▶ 2012 (214)
- ▶ 2011 (160)
- ▶ 2010 (133)
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- ▶ 2008 (59)
- ▶ 2007 (53)

**The contents of this blog represent the opinions of its author. Any inaccuracies are unintentional.**

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5/28/2015

Malone People Mail - [Bunch O Balloons ] Contact Form from May 06 at 7:47PM



Josh Malone <josh@malonepeople.net>

---

## [Bunch O Balloons ] Contact Form from May 06 at 7:47PM

---

**Shopify Notification** <mailer@shopify.com>

Wed, May 6, 2015 at 7:47 PM

Reply-To: milo1125@comcast.net

To: info@bunchoballoons.com

Contact Form Submission:

Name: Matt

Email: milo1125@comcast.net

Phone: 814 876 0930

Body: What is the difference between bunchoballoons, and balloonbonanza? Did someone copy one another? I am going to buy some, but first I need to know which is the better one, and why. Balloon bonanza and bunchoballoon looks like the same thing.

5/28/2015

Malone People Mail - Immitators or name change?



Josh Malone <josh@malonepeople.net>

---

## Immitators or name change?

---

**Miranda** <sungoddess1982@gmail.com>  
To: info@bunchoballoons.com

Wed, May 20, 2015 at 11:11 PM

Hi,

We pledged on kickstarter and are excited about the product and for a super fun water fight this summer. We have our balloons but would love more. Since I'd love to see bunchoballoons succeed I wanted to ask about the "other" bands I've seen like balloon bonanza. Is this the same company as you guys or just a knock off? If it's a knock off where can I get bunchoballoons?

Thanks  
Miranda

5/28/2015

Malone People Mail - Quick Question



Josh Malone <josh@malonepeople.net>

---

## Quick Question

---

**Amy Odell** <amyodell911@me.com>  
To: info@bunchoballoons.com  
Cc: Amy Odell <amyodell911@me.com>

Mon, Apr 20, 2015 at 7:34 PM

Hi there,

We are an elementary school looking to do a catapult launcher for our 4th Grade Medieval Day.  
We have about 120 kids in the 5th grade class but the kids will want to launch a bunch of them.  
Do you ever offer a school discount?

Also what's the difference between your balloons and the ones Balloon Bonanza advertises (besides the fact that you guys seem more reputable if you know what I mean!)

This looks like a really fun product!!

Thanks,

Amy Odell  
Oakton Elementary School  
Vienna, VA

5/28/2015

Malone People Mail - [Bunch O Balloons ] Contact Form from April 06 at11:28AM



Josh Malone <josh@malonepeople.net>

---

## [Bunch O Balloons ] Contact Form from April 06 at11:28AM

---

**Shopify Notification** <mailer@shopify.com>

Mon, Apr 6, 2015 at 11:28 AM

Reply-To: william.malbon@gmail.com

To: info@bunchoballoons.com

Contact Form Submission:

Name: bill

Email: william.malbon@gmail.com

Phone:

Body: did BALLOON BONANZA take your idea or is that you with new branding?

<https://www.youtube.com/watch?v=S1DaXYT6O2A>



Sherl Emily Lira 5 days ago  
This item is copying Balloon Bonanza.

Reply · 1 · 0



Cloe Rivra Boknegra 1 month ago  
the translation of lost is wrong, you should say "perder" instead of "perser" cuz that word doesn't exist... but I love your pronunciation, it's cute

Reply · 2 · 0

View all 3 replies ▾



Cloe Rivra Boknegra 1 month ago (edited)  
'cuz' is a slang word for 'because' or 'cause', if you didn't know, that word exists... on the other hand "perser" has no meaning at all, it is not even a word... no Spanish speaker would say or write such thing... I bet that was a typing mistake on the ladder's cautions

Reply · 3 · 0



Tinatin Beglashvili 2 weeks ago  
+Amelia Holtzman

Reply · 0 · 0



Ariel 437 4 months ago  
Does anyone else see this as just a waste of water?

2 · 0 · 0

View all 5 replies ▾



IzaFaqat 4 months ago  
+Ariel 437 don't take showers then

9 · 0 · 0



Rachle Kai Chia Yim 6 days ago  
I think bunch of balloons copied the brand

Reply · 1 · 0



Touka Nanase 6 days ago  
Where I live, they call it 'Balloon Bonanza' xD

Reply · 0 · 0



5/28/2015

Malone People Mail - New message about Bunch O Balloons: 100 Water Balloons in Less Than 1 Minute



Josh Malone <josh@malonepeople.net>

---

## New message about Bunch O Balloons: 100 Water Balloons in Less Than 1 Minute

---

Kristin Woosley via Kickstarter <notification@kickstarter.com>

Sat, Apr 25, 2015 at 7:04 AM

Reply-To: Kristin Woosley via Kickstarter

<m05zwnidc3rh7e071a5315c777fa468e932cc3163278@reply.kickstarter.com>

To: jmalone@tinnus.com

### KICKSTARTER

#### Kristin Woosley says:

I recently saw a commercial for a product called "Balloon Bonanza" that looks exactly like the project that you started.

I was part of the Kickstarter campaign and would like to know if you sold your patent, or if there is a copycat product. I don't want to purchase from the other company and find that I'm supporting a group of copycats.

Also, are your products still being manufactured in China? I was more than a little disappointed to see that was where the batch I received was manufactured. I had assumed that they were being developed and assembled in the US.

Thank you for your time,

Kristin Woosley

Reply to this email to respond or view this message on Kickstarter.

If this message is spam, report it to Kickstarter.



5/28/2015

Malone People Mail - [Bunch O Balloons ] Contact Form from April 10 at 1:32AM



Josh Malone <josh@malonepeople.net>

---

## [Bunch O Balloons ] Contact Form from April 10 at 1:32AM

---

**Shopify Notification** <mailer@shopify.com>

Fri, Apr 10, 2015 at 1:32 AM

Reply-To: heatherlynn74@gmail.com

To: info@bunchoballoons.com

Contact Form Submission:

Name: Heather Sievers

Email: heatherlynn74@gmail.com

Phone:

Body: Hello, I was a Kickstarter backer and I just saw a commercial for "Balloon Bonanza." I am writing to ask if this company knocked you off??? If so, I want to make sure I never order from them and will help you spread the word that this is NOT your product. I really hope that you are doing business as this name too and that it is not a rip off. But if so, I just wanted to let you know that I support your company and it is a disgrace that someone has done this to you. Wishing you success!

Heather Sievers

# EXHIBIT 5

6/5/2015

Malone People Mail - Hi NEED HELP



Josh Malone <josh@malonepeople.net>

---

## Hi NEED HELP

---

Rodriguez, Trina Houston Tecolote <trodriguez@tecolote.com>  
To: Info <info@bunchoballoons.com>

Fri, Jun 5, 2015 at 1:00 PM

JOSH!!!!

I'm so sorry if I would have bought BUNCH of BALLOONS I wouldn't have this problem ;-(

It's not your product (I'm sad again) it was balloon Bonanza! Now I'm really sad and embarrassed. I'm sorry to waste your time.

But we bought them at Walgreens in League City, Texas.

So my teachable moment is look at product before emailing the company and be happy you didn't get angry about the product!

Signed,

SAD mom needing 3000 balloons by 5:30 Central time,

Trina Rodriguez

---

**From:** Info [mailto:info@bunchoballoons.com]  
**Sent:** Friday, June 05, 2015 12:33 PM  
**To:** Rodriguez, Trina Houston Tecolote  
**Subject:** Re: Hi NEED HELP

Where did you purchase them?

Josh

6/5/2015

Malone People Mail - Hi NEED HELP

On Fri, Jun 5, 2015 at 12:28 PM, Rodriguez, Trina Houston Tecolote <trodriguez@tecolote.com> wrote:

I have a question, we bought a lot of packages of balloons for our annual schools out party for tonight and they filled up great but within 10 mins all the water released from the balloons. We did what it said on the package. We were hoping to have 3000 balloons filled and ready to go with everyone showed up so we started it early now we don't know what to do. IM SAD!!!!

Trina Rodriguez

SP/SG Product Sales and Training

Tecolote Research, Inc.

18333 Egret Bay Blvd

Suite 307

Houston, Texas 77058

TEL: (281) 333-0240 ext. 50002

FAX: (281) 333/0232

www.tecolote.com

www.aceit.com

# EXHIBIT 6

## Peter Hughes

---

**From:** Cortland Putbrese <cputbrese@dbllawyers.com>  
**Sent:** Friday, June 12, 2015 10:16 AM  
**To:** Stan Smith Ph.D.  
**Cc:** Peter Hughes  
**Subject:** ZURU

Dr. Smith:

Below is additional information for your review. Thank you.

Cortland

---

**From:** Denise Martin <[dmartin235@kc.rr.com](mailto:dmartin235@kc.rr.com)>  
**Date:** Thursday, June 11, 2015 at 2:29 AM  
**To:** Amy Zuru <[info@zuru.com](mailto:info@zuru.com)>  
**Subject:** Balloon Bonanza

To Whom It May Concern:

I went to Wal-Mart and purchased 2 sets of balloon bonanza for my daughters party. We filled them up and put them in a cooler about 2 hours before her party and when the guest arrived and we went to have a water balloon fight, about 50% of all of the balloons had leaked the water out of them and were not useful. The cooler was full of water from the balloons that leaked. I am not sure if you have had any other complaints about this but I wanted to let you know.

Thanks,

Denise Martin

# EXHIBIT 7

# The 90-9-1 Rule for Participation Inequality in Social Media and Online Communities

[nngroup.com/articles/participation-inequality/](http://nngroup.com/articles/participation-inequality/)

**Summary:** In most online communities, 90% of users are lurkers who never contribute, 9% of users contribute a little, and 1% of users account for almost all the action.

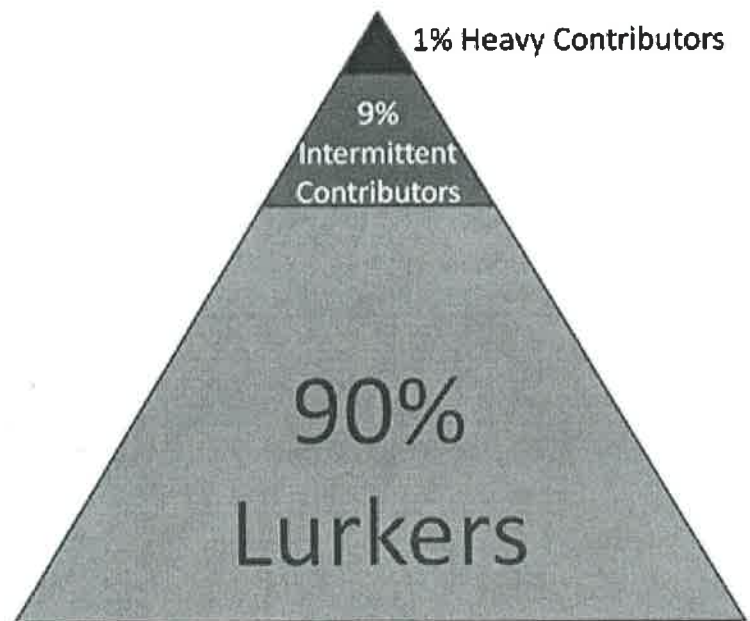
All large-scale, multi-user communities and online social networks that rely on users to contribute content or build services share one property: **most users don't participate** very much. Often, they simply **lurk** in the background.

In contrast, a tiny minority of users usually accounts for a disproportionately large amount of the content and other system activity. This phenomenon of **participation inequality** was first studied in depth by Will Hill in the early '90s, when he worked down the hall from me at Bell Communications Research.

When you plot the amount of activity for each user, the result is a Zipf curve, which shows as a straight line in a log-log diagram.

User participation often more or less follows a **90-9-1 rule**:

- **90%** of users are **lurkers** (i.e., read or observe, but don't contribute).
- **9%** of users contribute **from time to time**, but other priorities dominate their time.
- **1%** of users participate a lot and **account for most contributions**: it can seem as if they don't have lives because they often post just minutes after whatever event they're commenting on occurs.



## Early Inequality Research

Before the Web, researchers documented participation inequality in media such as Usenet newsgroups, CompuServe bulletin boards, Internet mailing lists, and internal discussion boards in big companies. A study of more than 2 million messages on Usenet found that 27% of the postings were from people who posted only a single message. Conversely, the most active 3% of posters contributed 25% of the messages.

In Whittaker et al.'s Usenet study, a randomly selected posting was equally likely to come from one of the 580,000 low-frequency contributors or one of the 19,000 high-frequency contributors. Obviously, if you want to assess the "feelings of the community" it's highly unfair if one subgroup's 19,000 members have the same representation as another subgroup's 580,000 members. More importantly, such inequities would give you a **biased understanding of the community**, because many differences almost certainly



exist between people who post a lot and those who post a little. And you would never hear from the silent majority of lurkers.

## Inequality on the Web

There are about 1.1 billion Internet users, yet **only 55 million users (5%) have weblogs** according to Technorati. Worse, there are only 1.6 million postings per day; because some people post multiple times per day, **only 0.1% of users post daily**.

**Blogs have even worse participation inequality** than is evident in the 90-9-1 rule that characterizes most online communities. With blogs, the rule is more like 95-5-0.1.

Inequalities are also found on Wikipedia, where more than 99% of users are lurkers. According to Wikipedia's "about" page, it has only 68,000 active contributors, which is **0.2%** of the 32 million unique visitors it has in the U.S. alone.

Wikipedia's most active 1,000 people — 0.003% of its users — contribute about two-thirds of the site's edits. Wikipedia is thus even more skewed than blogs, with a 99.8-0.2-0.003 rule.

Participation inequality exists in many places on the Web. A quick glance at Amazon.com, for example, showed that the site had sold thousands of copies of a book that had only 12 reviews, meaning that **less than 1% of customers contribute reviews**.

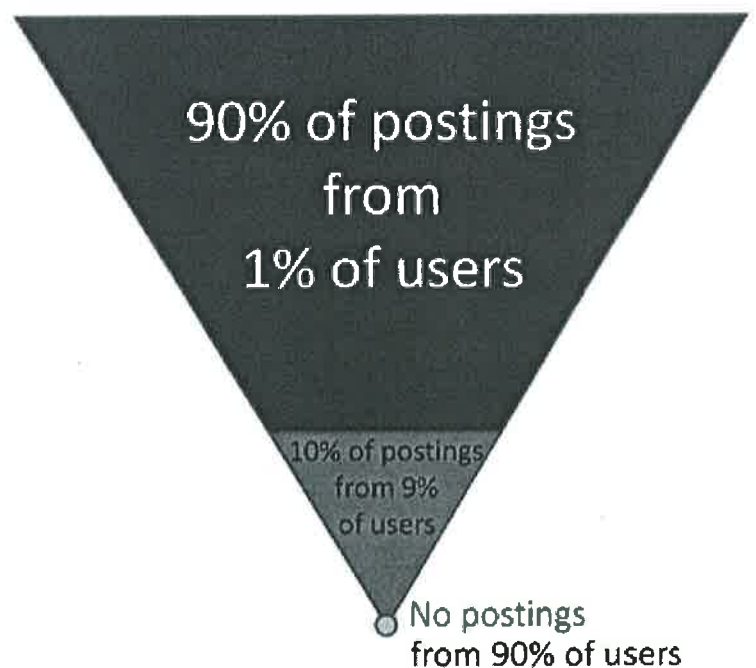
Furthermore, at the time I wrote this, 167,113 of Amazons book reviews were contributed by just a few "top-100" reviewers; the most prolific reviewer had written 12,423 reviews. How anybody can write that many reviews — let alone read that many books — is beyond me, but it's a classic example of participation inequality.

## Downsides of Participation Inequality

Participation inequality is not necessarily unfair because "some users are more equal than others" to misquote *Animal Farm*. If lurkers want to contribute, they are usually allowed to do so.

The problem is that the overall system is **not representative** of average Web users. On any given user-participation site, you almost always hear from the same 1% of users, who almost certainly differ from the 90% you never hear from. This can cause trouble for several reasons:

- **Customer feedback.** If your company looks to Web postings for customer feedback on its products and services, you're getting an unrepresentative sample.
- **Reviews.** Similarly, if you're a consumer trying to find out which restaurant to patronize or what books to buy, online reviews represent only a tiny minority of the people who have experiences with those products and services.



- **Politics.** If a party nominates a candidate supported by the "netroots," it will almost certainly lose because such candidates' positions will be too extreme to appeal to mainstream voters. Postings on political blogs come from less than 0.1% of voters, most of whom are hardcore leftists (for Democrats) or rightists (for Republicans).
- **Search.** Search engine results pages (SERP) are mainly sorted based on how many other sites link to each destination. When 0.1% of users do most of the linking, we risk having search relevance get ever more out of whack with what's useful for the remaining 99.9% of users. Search engines need to rely more on behavioral data gathered across samples that better represent users, which is why they are building Internet access services.
- **Signal-to-noise ratio.** Discussion groups drown in flames and low-quality postings, making it hard to identify the gems. Many users stop reading comments because they don't have time to wade through the swamp of postings from people with little to say.

## Skewed Lurker–Contributor Ratio for Non-Profit Social Network

(Update 2009) The "Causes" application on Facebook had **25 million users** in April 2009, but only **185,000 had given a donation**, even though the application offers the ability to give to 179,000 different non-profit organizations. (This according to the *Washington Post*.)

Thus, social networking for charity fundraising has a **99.3% lurkers and 0.7% contributors** rule — even more skewed than the other participation inequalities we have seen. The data doesn't say how many of the 0.7% of users who donated have been *frequent* contributors, but most likely it's less than 1/10, meaning that the full rule would look something like **99-1-0** (when rounded to the nearest integer).

This finding comes as no big surprise, for three reasons:

- Despite the hype, Facebook is just another form of collaborative environment, meaning that long-established laws for online communities should hold. Maybe with small modifications, but the basics are due to human nature and don't change when moving to a new platform.
- Donating money is a stronger form of action than simply writing user-contributed content, so it makes sense that this form of contribution would have extremely strong participation inequality. If we measured the amount of money donated and not just a binary give/not-give distinction, the skew would likely be even more extreme.
- Our research on the user experience of donating to charities online found that most non-profits don't provide the information users want before they're willing to be separated from their money. (Or the info isn't shown in a sufficiently web-oriented manner.)

## How to Overcome Participation Inequality

### You can't.

The first step to dealing with participation inequality is to recognize that it will always be with us. It's existed in every online community and multi-user service that has ever been studied.

Your only real choice here is in how you shape the inequality curve's angle. Are you going to have the "usual" 90-9-1 distribution, or the more radical 99-1-0.1 distribution common in some social websites? Can you achieve a more equitable distribution of, say, 80-16-4? (That is, only 80% lurkers, with 16% contributing some and 4% contributing the most.)

Although participation will always be somewhat unequal, there are ways to better equalize it, including:

- **Make it easier to contribute.** The lower the overhead, the more people will jump through the hoop. For example, Netflix lets users rate movies by clicking a star rating, which is much easier than writing a natural-language review.
- **Make participation a side effect.** Even better, let users participate with zero effort by making their contributions a side effect of something else they're doing. For example, Amazon's "*people who bought this book, bought these other books*" recommendations are a side effect of people buying books. You don't have to do anything special to have your book preferences entered into the system. Will Hill coined the term **read wear** for this type of effect: the simple activity of reading (or using) something will "wear" it down and thus leave its marks — just like a cookbook will automatically fall open to the recipe you prepare the most.
- **Edit, don't create.** Let users build their contributions by modifying existing templates rather than creating complete entities from scratch. Editing a template is more enticing and has a gentler learning curve than facing the horror of a blank page. In avatar-based systems like Second Life, for example, most users modify standard-issue avatars rather than create their own.
- **Reward — but don't over-reward — participants.** Rewarding people for contributing will help motivate users who have lives outside the Internet, and thus will broaden your participant base. Although money is always good, you can also give contributors preferential treatment (such as discounts or advance notice of new stuff), or even just put gold stars on their profiles. But don't give too much to the most active participants, or you'll simply encourage them to dominate the system even more.
- **Promote quality contributors.** If you display all contributions equally, then people who post only when they have something important to say will be drowned out by the torrent of material from the hyperactive 1%. Instead, give extra prominence to good contributions and to contributions from people who've proven their value, as indicated by their reputation ranking.

Your website's design undoubtedly influences participation inequality for better or worse. Being aware of the problem is the first step to alleviating it, and finding ways to broaden participation will become even more important as the Web's social networking services continue to grow.

---

# EXHIBIT 8

## New Jersey

Change Location

Menu

Home &gt; Business or Charity Reviews &gt; General Merchandise - Retail &gt; Telebrands

## BBB Business Review

THIS BUSINESS IS NOT BBB ACCREDITED.

## Telebrands

## Find a Location

Phone: (973) 244-0300

Fax: (973) 227-5086

View Additional Phone Numbers

79 Two Bridges Rd, Fairfield, NJ 07004

lynda@telebrands.com

http://www.telebrands.com

View Additional Web Addresses



On a scale of A+ to F

Reason for Rating

BBB Ratings System Overview

BBB Business Reviews may not be reproduced for sales or promotional purposes.

## Description

The company offers variety of products including kitchen, housewares, electronic, exercise and novelty items.

## BBB Accreditation

On 9/23/2014 this business's accreditation in the BBB was revoked by the BBB's Board of Directors due to its failure to adhere to the BBB requirement that Accredited Businesses meet and abide by the following standards:

6A. Promptly respond to all complaints forwarded by BBB by:  
Resolving the complaint directly with the complainant and notifying BBB, or  
Providing BBB with a response that BBB determines:  
is professional,  
addresses all of the issues raised by the complainant,  
includes appropriate evidence and documents supporting the business' position, and  
explains why any relief sought by the complainant cannot or should not be granted.

This business is not BBB accredited.

Businesses are under no obligation to seek BBB accreditation, and some businesses are not accredited because they have not sought BBB accreditation.

To be accredited by BBB, a business must apply for accreditation and BBB must determine that the business meets BBB accreditation standards, which include a commitment to make a good faith effort to resolve any consumer complaints. BBB Accredited Businesses must pay a fee for accreditation review/monitoring and for support of BBB services to the public.

## Reason for Rating

BBB rating is based on 13 factors. Get the details about the factors considered.

Factors that lowered the rating for Telebrands include:

1239 complaint(s) filed against business  
8 complaint(s) filed against business that were not resolved  
Length of time business has taken to respond to complaint(s)

Factors that raised the rating for Telebrands include:

Length of time business has been operating

Response to 1239 complaint(s) filed against business

## Customer Complaints Summary

[Read complaint details](#)

1239 complaints closed with BBB in last 3 years | 413 closed in last 12 months

Complaint Type	Total Closed Complaints
Advertising/Sales Issues	311
Billing/Collection Issues	211
Delivery Issues	152
Guarantee/Warranty Issues	28
Problems with Product/Service	537
Total Closed Complaints	1239

[Read Complaints](#) | [Definitions](#) | [BBB Complaint Process](#) | [File a Complaint against Telebrands](#)[See Trends in Complaints on Telebrands](#) | [View Complaints Summary by Resolution Pie Chart on Telebrands](#)

## Customer Reviews Summary

[Read customer reviews](#)

2 Customer Reviews on Telebrands

Customer Experience	Total Customer Reviews
Positive Experience	0
Neutral Experience	0
Negative Experience	2
Total Customer Reviews	2

[Read Customer Reviews](#) | [Submit a Customer Review](#) | [See Trends in Customer Reviews on Telebrands](#)

## Government Actions

## Office of the Attorney General and the New Jersey Division of Consumer Affairs Complaint

Date of Action: 8/13/2014

The following describes a pending government action that has been formally brought by a government agency but has not yet been resolved. We are providing a summary of the governments allegations, which have not yet been proven.

The Office of the Attorney General and the New Jersey Division of Consumer Affairs have filed a complaint against the company. The state alleges that Telebrands violated the Consumer Fraud Act through its practice of aggressively upselling products through its automated phone system and websites, failing to provide means for consumers to opt out of the ordering process, shipping and billing for products not ordered by consumers, and using misleading advertisements, among other violations.

The state's five-count complaint, filed in Essex County Superior Court by the Division of Law, also alleges that Telebrands violated the terms of a 2001 Final Consent Judgment and Order that resolved prior litigation with the state and, among other things, required the company to comply with the Consumer Fraud Act.

The state's complaint alleges that Telebrands violated the Consumer Fraud Act by engaging in unconscionable commercial practices; making false promises and/or misrepresentations; and knowingly omitting material facts, in violation of the Consumer Fraud Act; and violated the Advertising Regulations by obscuring material facts (i.e., processing fees) and using misleading terms (i.e., "SPECIAL OFFER") in its product commercials and other advertisements. The alleged violations are based upon consumer complaints as well as an undercover investigation conducted by the Division of Consumer Affairs.

Through this action, the state is seeking restitution for the affected consumers, plus civil penalties and reimbursement of its investigative costs and attorneys' fees.

For more details go to <http://www.njconsumeraffairs.gov/press/08132014.htm>.

What government actions does BBB report on?

## Advertising Review

BBB has nothing to report concerning Telebrands's advertising at this time.

What is BBB Advertising Review?

## Additional Information

BBB file opened: March 19, 1999

Business started: 01/01/1983

Business started locally: 01/01/1983

Business incorporated 01/01/1999 in NJ



**Type of Entity**

Corporation

**Business Management**

Mr. Ajit Khubani, President

Mr. Bale Iyer, Executive Assistant

Ms. Alice Kye, Quality Assurance

Ms. Lynda Patire, Customer Satisfaction Supervisor

Ms. Andrea Spano, Lead Customer Service Rep

[Directions | Enlarge](#)**Contact Information**

Principal: Mr. Ajit Khubani, President

Customer Contact: Ms. Alice Kye, Quality Assurance

**Business Category**

General Merchandise - Retail

Kitchen Accessories

Mail Order &amp; Catalog Shopping

Product Development &amp; Marketing

**Alternate Business Names**

30 Second Styler

Ab King Pro

Ab Saucer

Accu Steep 2000

Aero Knife

Aero Knife Precision

Aero Slim Grill

Air Maid

Air Press Massages

Air Writer

Aluma Clutch

Aluma Slide

Aluma Wallet

Aluma Wallet Pink

Amaze Vase

Amazing Knife

Ambervision

America's Best Pillow

American Way

Amish Secret

Angel Strap

Ankle Genie

Aqua Pearls

Astro Tape

Aunt Bee's Cookbook

Authentic American Collectibles

Autobon Bird Clock

Back Relief Belt

Bag Bike

Bag Tight

Bake Pops

Ball Bike

Ball Force

Ball Pets

Balloon Bonanza

Barelifts

Bark Off

Beat Blaster

Beats Ballz

Beauty View

Bella Plus

Better Bags

Betty Crocker Oven Liner

Beverly Hills Twist

Bird Time Clock

Blarney Charm

Blingee Bands

Blow Lantern

Body Wedge 21

Bombay Green

Boot Buddy

Booty Blanket

Bottle Top

Bouncer



# EXHIBIT 9





COMPLAINTS BOARD

Made by the people for the people

The most trusted and popular  
consumer complaints website

#243

Company or Product Name

Everything

SEARCH

Home

News &amp; Stories

Tips &amp; Tricks

Questions

Videos

Photos

Groups

Submit Complaint

Follow us



Connect With:



Login

Register

China Machinery  
SuppliesImport From Certified  
Manufacturer. Contact &  
Get Quotation Now

## Share with Others

1,410

1.5k

Tweet

g+

## Recently Discussed Complaints

- (0 mins ago)  
T&L Maid Agency  
Cheated by T&L Maid Agency
- (17 mins ago)  
Indian Postal service  
Undelivery of Parcel from Saudi Arabia
- (18 mins ago)  
EUROFAB ELECTRONICS PVT LTD  
NO SERVICE AFTER SALES
- (21 mins ago)  
Greentree Servicing  
Scams, Unprofessional behavior
- (29 mins ago)  
Polo Ralph Lauren  
Bad quality of merchandise

## Consumer Tips &amp; Tricks

Generate Income  
using Stock  
Photography5 Tips Before You Buy  
New ComputerMoves to Reduce Debt  
Could Hurt Your Credit  
Score

## Latest News &amp; Stories

Amazon Launches 69-  
Cent Music Store

## TeleBrands Complaints &amp; Reviews

Sort by: Date | Popularity

## TeleBrands - Refund of payment after order cancelled

Posted: 2014-04-08 by frostin

Complaint Rating:

I Ordered ONE Hurricane Mop and didn't get a chance to review order before submitting! THEY DO THIS ON PURPOSE!!

I was charged \$159.92 for something that was supposed to be \$29.99 plus \$12.99 S/H

I have been refunded all but \$29.99 (item #3 on order confirmation)

This has been going on since January 26, 2014 this company is a total scam and why isn't it shut down...they are screwing everyone that they do business with according to all of these complaints.

They should be taken off TV sales as they are not reliable and can't be trusted to keep their...

Comments

Saint Helena

Other

## TeleBrands - the quality of the products which telebrands send us was very low.... all the items were defective

Posted: 2014-01-03 by anupam pandey2000

Complaint Rating:

u people fool the the common man by showing something on the t.v and giving something else ... on 26/11/2013 we ordered nicer dicer by order no. M1373955... and on 28/11/2013 we ordered 5 in 1 sofa cum bed, electricity saver and wedge cushion by order no.M1374418...

1. binding of sofa cum bed opened the 2nd day of use...

2. cushions are very very uncomfortable and 1 is punctured also m not

able to identify the hole...

3. nicer dicer is highly defective... the blades are not of the material which u show in tv.. they r made up of iron... many of them r not straight n v r unable...

Comments

India

Telemarketing

## TeleBrands - Did not order anything

Posted: 2013-08-08 by T. Umbaugh

Complaint Rating:

Going through my bank statement found a charge of \$39.98, external debit withdrawl. I did not order anything. Dated 7/19/2013 Only identifying information was a phone number of TELE800-777-4034 on the bank statement. I called and they wouldn't give me the address of the home office for the company. I suspect "Telebrands" take payments for other companies. I spoke with a "Vernon" who said there were no managers as they had all gone home, I put in a request for a manger to call me 8/8/13. We will see. "Vernon" said he

## + Submit complaint

## Videos

## 3 Tips to Avoid Credit Card Scams



More Videos

AdChoices

▶ Credit Card Payments

▶ Company Complaints

▶ BBB Complaints

## Latest Groups

Savannah Bad Breeders  
We have suffered  
Dog Breeders-Puppy Mills  
Craigs List Buyer Check Frauds  
Victims Of Fraud Job Offer

## Today's Mess-Up Photo

Oxford and cambridge  
certificate



More Mess-ups

Hurry Up!  
Limited time offer

.com \$7.99  
no hidden fees

+ Free Whois Privacy

BIDOMAINS.com



Apple Expected to Start  
Production of a White  
iPhone This Month



Apple Trying to Push for  
Repeat Downloads of  
iTunes Music Purchases

Comments

United States

Books

#### Latest Questions

Legitimacy of  
changingthepresent.com

Pouvez vous supprimer les  
informations me concernant sur  
Google ?

Zorpiah lottery?

Is there a fee for obtaining a pin for  
new debit gold master card?

Transfer

#### TeleBrands - North Carolina - Pocket hose

Posted: 2013-06-12 by  Eleanor Smith

Complaint Rating: 


I purchased pocket hose early may 2013. I got a confirmation letter by email and a tracking number. I was billed credit card may 30 and told my order was shipped and would be here 7 - 10 days. As of june 17 no order has arrived. Checking the tracking order they say it was delivered june 7. No one can explain this, only tell me it will be here in about 2 weeks. I told them where is it and why another 10 days. They say check your post office. They were suppose to ship to my physical address and now say post office, no one can tell me which shipping company is handling this and not to worry. Three...

Comments

United States, North  
Carolina

Home & Garden

#### TeleBrands - Florida - DOG GROOMING BRUCH

Posted: 2012-12-05 by  Ronald J L

Complaint Rating: 

Last Sunday (12-02-2012) my wife and I were shopping for a dog grooming brush she had seen on TV. When we found what she was looking for, we could not easily confirm what the total price was. We had to enter all of our information in order to find out what the final price would actually be. We did that, MISTAKE.

Once we had determined the 245 we did not want the item we were looking at. So there was no apparent way to abort the site, and there also was not confirmation screen to actually place the order. We just left the site, and went on about our shopping.  
Come to find out last...

Comments

United States, Florida

Unauthorized Charges

### TeleBrands - Damaged Product, Not Responding

Posted: 2012-11-12 by Poonam Soni

Complaint Rating:

1. Goods supplied by Telebrands received in damaged condition.
2. Total amount charged is more than the actual shown in their order.
3. The company is not responding for replacement of damaged goods....

Comments

India

Other

### TeleBrands - This is fraudulent practice and people should beware of this company

Posted: 2012-10-30 by Vigo

Complaint Rating:

I ordered a Zirconium ring from a telemarketer named Telebrands and talked with an automated answering machine. All I ordered was a ring but when the order arrived it included earrings which I did not order. During the call I was offered several things to buy (including earrings) but I kept saying NO but they sent earrings anyway. I called the company and talked with a representative who apologized and said she'd deduct \$5.00 from the order if I'd keep the earrings. Rather than going to the trouble of sending them back I said ok. This is fraudulent practice and people should beware of...

Comments

United States

Plumbing Services

### TeleBrands - Missouri - Over charged

Posted: 2012-08-10 by Riley Keys

Complaint Rating:

This company is a total rip off. They told me my order was 15.99, and if order today they would add a second one free. I placed the order for one and paid 9.99 for rush shipping. One Month later I was charge 98.91, and was taken out of my checking account. You can't talk to them because no one in the office speak english....

Comments

United States, Missouri

Unauthorized Charges

### TeleBrands - Stay away from these guys

Posted: 2012-07-05 by Lessio

Complaint Rating:

Purchased Chefdini, \$14.99, buy one, get one free, plus shipping of \$7.99 as advertised on t.v. Invoice was for \$77.96, instead of \$22.98. I called and Kat told me they would refund \$15.00 or I could return the merchandise, I wanted to speak to her supervisor but was told they would get back to me. Never heard from them....

Comments

United States

Products & Services

### TeleBrands - Poor website practices, hidden details

Posted: 2012-03-18 by txmatn


Complaint Rating:

I have ordered two separate times from Telebrands the first time


# 246  
last year near Christmas, my wife began an order, and then changed her mind. She said she never submitted the order, however they charged my card anyhow. The second time, the product advertised free shipping, saying it would explain if I continued, when I entered my card info in the blocks and hit continue, it never got to the free shipping explanation. I backed out of the window hoping it would not charge my card, however it did, and I had to pay the shipping. Also, I had a \$20.00 gift certificate from Telebrands that I wanted...

 Comments

 United States

 E-Shopping

### TeleBrands - Slice-O-Matic Ripoff

Posted: 2011-12-25 by  Ruth C.

Complaint Rating: 

Saw an advertisement for the Slice-O-Matic for \$19.99 plus \$6.99 shipping and handling. "Call right now and receive a 2nd Slice-O-Matic free, just pay seperate S&H." When I called all my information was taken by an automated machine. I declined the offer for the 2nd "free" slice-matic along with about 20 other offers. When I got my invoice, I was charged \$53.96. When I called customer service, they explained that even if you decline the offer for the "free" 2nd product, they will ship it to you anyway and charge you the \$6.99 S&H because it is actually a buy 1 get 1...

 Comments

 United States

 TV, Music & Video

### TeleBrands - Not recommended


Posted: 2011-12-25 by  dentalplan

Complaint Rating: 


I ordered 2 skilletts for 31.97, got a debit for 51.96 from Telebrands. The moment i saw the incorrect debit, i phoned Telebrands and canceled the order. I was told i would see the reversed debit in 5-7 days. I did not. I phoned Telebrands again, was told a credit would be placed against the card in 5-7 days. Again nothing happened. I contacted my bank they investigated my complaint and said i'd have to deal with Telebrands myself. I'm still out 51.96. I contact Telebrands again and i'm told 5-7 days i'd see a credit....

 Comments

 United States

 E-Shopping

### TeleBrands - Misleading

Posted: 2011-12-16 by  sonjablue

Complaint Rating: 

There is a lot to list, so sit tight. First off, when I saw the commercial for the Chef Basket, they claimed the baskets were durable, and that you get a FREE basket when you buy one. You are also supposed to receive a "robostir", with your purchase. The price is advertised "\$10.00" and free shipping. When it comes time to order said item, they charge you \$10.00 for ONE basket, and it is 6.99 S&H, and to get the other items "free", you have to pay an additional 6.99 S&H charge per item. So what was once \$10.00, becomes "23.98" or more.


Second,...

 Comments

 United States

 Other

### TeleBrands - The total charged was \$23.98 and I want to have awful refund and free return shipping

Posted: 2011-10-27 by  Hillade

Complaint Rating: 

I called to order some buttons which was advertised at \$10 around feb.18.They first took my credit card number by an automated voice.i then was forced to listen to a whole host of offers at a much higher price.I was never told the total charge nor could I speak to anyone. I tried many phone numbers from the first cal and was sent to others numbers several times.I finally spoke to someone and informed them of my disgust with their operating system and told them to cancel my order which they said they would.Today the order came and I sent more time waiting to speak with someone and they gave me a...

 Comments

 United States

 Unauthorized Charges

### TeleBrands - Don't Order from them

Posted: 2011-10-01 by  unhappycustomer2

Complaint Rating: 

I ordered Jupiter Jack back in AUG, 09 two weeks before my wife's birthday and upgarded the jupiter so I would make sure it would work. Paid extra to amount to about \$50.00

It took till October to receive it and I was never told it would take that long. Once I got it, the connectors to fit a phone did not work on her phone. Again, I never asked the model to insure it would work with it.

I was told I could order the new connector for \$2.99 which I did. I told them the model number and make. I received the connector today 12/7/09 and they send the wrong one. That...

 Comments

 United States

 Products & Services

### TeleBrands - Beware


Posted: 2011-09-23 by  Consumer1234

Complaint Rating: 

I purchased a Jupiter Jack from Telebrands, com. I have had nothing but trouble and lies from them. They said the payment would be split in two - yes, but they charged \$48 on the first time and \$10 the second time - not the way it should be done. They tell you an item has been shipped when it hasn't. They guarantee you will receive an item by a specific date, you don't. They bill you for items that are never sent and they lie over and over again. DO NOT buy from this company!...

 Comments

 United States

 Products & Services

### TeleBrands - To date I have not received a refund

Posted: 2011-09-22 by  Sagide

Complaint Rating: 

I ordered 4 of the "Shoes Under" shoe storage cases based on the TV ads. They SHOW a "sturdy" case able to slide easily back and forth under the bed holding 12 pairs of shoes in place. What I received was \$43.97 of useless flimsy material.What they show on TV has rigid dividers and a sturdy bottom. What I received has material dividers

and bottom and CAN NOT and DOES NOT slide even on hardwood floors let alone carpet. When I called I talked to some one who I couldn't understand very well and he was of NO help. I requested a return authorization and he said my refund would...


 Comments

 United States


 Products & Services

### TeleBrands - Junk




Posted: 2011-09-06 by  Vicky #: 248Complaint Rating: 

I had exactly the same bad experiences with this junk company. I saw the TV ad and then tried to order a heel-stick product from [www.heelstick.com](http://www.heelstick.com). The price on the TV is \$10 for each, while after I entered my discover information, my address, and everything, the price showed \$23.98! Handling & Shipping costs are much more than the price of the product itself. I did not continue, did not authorize the purchase, and just close the website. I thought that's it. Two weeks later I received the products, and I found that they charged my discover! It was just like a theft, you saved your credit...

 Comments United States Products & Services

### TeleBrands - Fraud with Just 4 me

Posted: 2011-09-06 by  dr.kenigComplaint Rating: 

Telebrands has a scam set up with another company called Just 4 Me. Telebrands sends a small check that appears to be a rebate check. If you cash the check, Telebrands gives your credit card number to Just 4 Me who starts charging you a fee for a service you have never heard about. The 2 companies have this scam set up together and both make money after sharing your credit card with Just 4 Me. Am I the only one that this has happened to?...

 Comments United States Products & Services

### TeleBrands - New Jersey - Lying to customers

Posted: 2011-08-12 by  Michael TarplinComplaint Rating: 

The status that is shown online is wrong. I ordered a wallet in January through alumawallets(Telebrands) which got backordered so many times that the machine that lists when we did the order in the first place says I ordered it in March. Then, when I finally was

able to cancel the order that was for a February birthday present, I tried ordering again today to see what result I got and I got a 1800 number requesting my credit card number to give me gas card vouchers. If you are going to give me a voucher and you have my address you do not ask for more money from a customer.

What I...

 Comments United States, New Jersey Jewelry & Watches

Previous 1 2 3 4 Next

## Get New Customers Online

Advertise On Google. Get HK\$400 Advertising Credit When You Sign-Up



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If you have any constructive thoughts, creative ideas, or reasonable offers, please, contact us immediately via E-mail

All reviews > Products > Telebrands 733

# Telebrands Complaints and Reviews

Reviews	About	Ratings	Competitors	Locations	Products	Recalls
---------	-------	---------	-------------	-----------	----------	---------



2.1



+ Nothing 1 votes

- Everything 1 votes

Is this your company?  
Please check our

732 COMPLAINTS 0 RESOLVED \$48K CLAIMED LOSSES

\$65 AVERAGE 42.6K VIEWS

Products

## Telebrands - very bad items and services. cheaper sss

Feb 12 Telebrands Sport Farrukhabad, Uttar Pradesh Abs Rocket Twister 4  
REVIEW RATING 4/5

i had bought abs rocket twister and its black wheel is broken and spring is loosed. i complained before 6 month ago but no response is taken of my complaint. whenever i ready to pay money of those item. please please help me and no product buy of these company. i had bought abs rocket twister and its black wheel is broken and spring is loosed. i complained before 6 month ago but no response is...

Cash On Delivery 1

Was this review helpful? 0 ↑ 0 ↓

Telebrands Feb 02 by anonymous #589986

I ordered a wincleaner on the 27th of January on the feb. the second I call to check the status of the order and CSR. Jordan said that I have to wait a three to six weeks to have it. the CSR Jordan said that is the way they do it and I have






**Telebrands - I ordered a diamond ring that has been paid for in full but never delivered.**

Dec 09, 2014  [Telebrands](#)  [Luxury / Jewelry](#)  [Texas City, Texas](#)  [Diamond Ring](#)  61  
REVIEW RATING 4/5

I received a chance to order one of two rings one of which was Ten Dollars and the other one was Twenty Dollars. I chose to order the one that was Ten Dollars. I mailed in a money order in the amount of Sixteen Dollars which covered the Ten Dollars for the price of the ring and the cost of shipping and handling. Today is December 9, 2014 and I have still not received my ring. It's Amazing a...

Was this review helpful? **1** ↑ **0** ↓






**Telebrands - Review about Cancellation Policy from Los Angeles, California**

Dec 08, 2014  [Telebrands](#)  [Products](#)  [Los Angeles, California](#)  [Cancellation Policy](#)  29  
REVIEW RATING 3/5

I was strong armed into signing with telebrands! I have been trying to cancel ever since, but could not find a phone # to accomplish this. Cancel this service immediately and REFUND all money charged to date to my credit card. You should be ashamed to swindle people like this, to say nothing of being brought up on criminal charges. I want this done within 2 days or I will contact the authorities...

Was this review helpful? **0** ↑ **0** ↓



**It is the most pathetic experience that I have got with Telebrands India. I would make sure not to recommend Telebrands if I do not receive a resolution within 2 days. Telebrands India offis pathetic.**

Nov 24, 2014  [Telebrands](#)  [Sport](#)  [Mumbai, Maharashtra](#)  [Ab Zone Flex](#)  25  
REVIEW RATING 4/5

Order No: 41076 I recieved a faulty AB ZONE FLEX ordered on 14.09.14. with one of its section broke down on 23.09.14 ( broken sections pictures was attached when complaint to support@telebrandsindia.com). they did not care to replace it and insisted that I send the broken piece at my own cost to your mumbai office which is ridiculous...why should i bear the cost of Telebrands failure to give me...

Was this review helpful? **0** ↑ **0** ↓

**Telebrands - Charge on my card for no reason**

Nov 12, 2014  [Telebrands](#)  [Online Shopping](#)  [Asheboro, North Carolina](#)  [Online Order](#)  51  
REVIEW RATING 4/5

My bank called me and told my they cancelled my credit card because of suspicious activity. I have purchased nothing today, 11/13/14 when your company charged my credit card. I gave your company no information about me or my account and yet you charged me. The charge to my card is \$19.99. I want this amount refunded to me. I am also seeking damages of \$5.00 for a new card so people on the internet...



### Telebrands - nightstars

Oct 18, 2014 Telebrands Online Shopping Price Increase 120 REVIEW RATING 4/5

saw the add on tv and called in and ordered 6 at 119.00 plus 9.99 shipping on sept 16. called in twice more because I couldn't see my order under getorderstatus... they said will take the full six weeks which is oct. 27... got a post card last week saying it will take the full six weeks.. today I got a post card again that says we canceled your order.. when I got ahold of them today they said I...

Was this review helpful? 1 ↑ 0 ↓

### Telebrands - unhappy unhappy unhappy

Oct 02, 2014 Telebrands Online Shopping Colquitt, Georgia Pocket Hose 50 69  
REVIEW RATING 4/5

The on/off broke after 2 times of using it and also leaked and wet everything including myself, shoes and clothes. not only does it leak at this end it also leaks at the end that attached to the water faucet. I also have a second one that I bought at the same time but haven't used it yet. When you get wet all over from hose, there is not much more complaining you can complain about. I only want...

Was this review helpful? 0 ↑ 1 ↓

Telebrands Sep 29, 2014 by anonymous #540178

I have a near new Pocket Hose Ultra 100 ft. and has developed a hole in the hose and is leaking and unusable

### Telebrands - BULLSEYE PADS LEAK

Sep 29, 2014 Telebrands Pet Accessories Griffin, Georgia Dog Bullseye Pads 27  
REVIEW RATING 4/5

DOG DOES NOT ALWAYS GRAVITATE TO ADVERTISED SCENTED BULLSEYE . SHE PEES ON THE SIDES AND NOT THE CENTER AS ADVERTISED. ALSO, THE PADS ARE NOT LEAK-PROOF AS ADVERTISED. WHEN MY DOG PEE S THE PAD DOES NOT ABSORB AS ADVERTISED AND IT RUNS OFF THE PAD ONTO THE FLOOR. IT'S NOT LIKE SHE IS A HUGE DOG EITHER. SHE ONLY WEIGHS 12 LB. YOUR PRODUCT DOES NOT DO WHAT YOU SAY IT DOES. I AM NOT HAPPY...

Was this review helpful? 0 ↑ 0 ↓

1  
of 74 2 3 4 5 ... 74

Next >

Had an experience with Telebrands?

Write a review

# 252



Add photo

**More results for "telebrands"****Product Results**

Telebrands Pocket Hose

5 reviews

Pocket Hose 50 Ft

Telebrands Services

2 reviews

Bare Lifts And Telebrand

1 review

Telebrands Lint Lizard

1 review

Telebrands 1 review

Pocket Hose 50 Ft

Telebrands Services X3 25

Ft Hos 1 review

**Tag Results**

Telebrands 5 reviews

Telebrands Pocket Hoses

Blew Out 1 review

Dump Cakes Telebrands

1 review

Telebrands Fairfield 1 review

TeleBrands 855-235-1850

1 review

DDump Cakes Telebrands

1 review

**Company Results**

Telebrands India 3 reviews

Telebrands 1 review

Did not find what you were looking for?

**Telebrands Recently Discussed**

Telebrands - Green Saute pan

Feb 04

TeleBRANDS and the supposedly Indestructible Wallet

Dec 28, 2014

Telebrands - Pocket hose

Oct 17, 2014

Telebrands - Misleading order

Sep 29, 2014

Telebrands - doesn't stand

Sep 28, 2014

## Companies similar to Telebrands

Pocket Hose 447 reviews

Aluma Wallet 249 reviews

Joann Fabric 203 reviews

LTD Commodities 171 reviews

Riddex 145 reviews

## Recently Discussed Reviews

Keranique - Bad customer service, mediocre product  
15 minutes ago

Adora Models - Review about Photoshoot from London, London  
25 minutes ago

Pissed Consumer - are you serious with this?  
36 minutes ago

Stratford Career Institute - Waist of time...Shity school and unprofessional staff  
47 minutes ago

TMart - Received Counterfeit Helicopter  
57 minutes ago

## Telebrands Products

Hose 108 reviews

Aluma Wallet 49 reviews

Pocket Hose 50 36 reviews

Pocket Hose 50 Ft 21 reviews

Sticky Buddy 16 reviews

Bark Off 14 reviews

Slice-O-Matic 14 reviews

Lint Lizard 13 reviews

Bake Pops 11 reviews

Bare Lifts 9 reviews

## Telebrands Recalls 1

Telebrands Recalls Scarves with Microwaveable Heat Packs Due to Fire and Burn

## Telebrands Tags

pocket hose 18

pocket hose burst 10

Customer service 8

garden hose 5

Telebrands 4

Television 3

As Seen on TV 3

False advertising 2

Pocket Hose Sucks 2

Transport 2

## Top Rated Telebrands Reviews

Telebrands - My Zone Headphones Scam and Ripoff before you even get

Telebrands - Order not received

Telebrands - Chefdini scam - bought 1 - recieved 6!!! -

Don't order from Telebrands!!

Telebrands - Bare Lifts Scam & Overcharged

TeleBrands does NOT participate in the ConsumerAffairs accreditation program. [Learn More](#)

Home (<http://www.consumeraffairs.com>) > Shopping  
(<http://www.consumeraffairs.com/shopping/index.html>) > Online Shopping  
([http://www.consumeraffairs.com/online/online\\_sales.htm](http://www.consumeraffairs.com/online/online_sales.htm))

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### Are you this business?

Learn about ConsumerAffairs for Brands!

Tell us about your experience with TeleBrands :

**WRITE A REVIEW (/REVIEW/)**

## Consumer Complaints & Reviews



Saloni of Mumbai , Other on Dec. 23, 2014



I had ordered 2 products in 28th August 2014. I received one on 10th Sept. The second one I did not receive. From that day until today, I have been following up for either the product or refund. On 8th December they told me refund is processed. Today is 23rd December and they are not even giving me the transaction id. simply because it hasn't been refunded.

Helpful? **YES** **NO**



Milan of Dewas Madhya Pradesh, Other on Nov. 11, 2014



I ordered a product from TeleBrands paying through credit card on 15th Oct 2014, the order number is \*\*. I haven't received the order till date. Initially they told me that I will receive the order on 30th Oct. When I called them on 30th they informed me that my order dispatch date is 30.

Hence I will receive my order by next week is on 26TH Nov, but till date I haven't received the order as well as they are not willing to refund me back my money without rejecting to accept the order. Even I marked them a mail complaining about the service but in vain they didn't bother to reply. Disgusting company not to be trusted.

Helpful? **YES** **NO**



Malathy of Bangalore, Other on Nov. 1, 2014



I had ordered for an Air lounge on 24-09-14 booking No. \*\*. They will give us only booking no. and assure that we will get the item by 10 days. After 10 days a message was received that the item is shipped and will get delivery by 7 days. After 20 days I sent a message on 15-10-14, that I did not receive the delivery of the air lounge and I would cancel the order. I received the delivery on 15-10-14 afternoon by the courier. After receiving I came to know that the item is of China made and doesn't have patent, not ISI mark, and every 5 days after filling air there is a small pinhole occurring every time and is of low quality. When I called the customer care they deny to replace/payback and all the postage and handling will be ours. As we have already paid postage and handling by ourselves while received cost rs. 820/-, even now we have to be bare is not the consumer rules. Better to buy from the nearby shops instead.

Helpful? **YES** **NO**



Donna of Manchester, NH on Oct. 24, 2014



I was interested in purchasing a product from TeleBrands called the Facelift Wand by calling 1-800-615-3409 but before ordering I had questions. I asked about ordering the wand outright for the advertised price of \$39.99 without purchasing the "30 day free trial for \$14.99" and was told the only offer she had was the 30 day trial for \$14.99. Then I asked about the 2 month supply of "facial cream" that came with the wand and asked if this would be auto shipped after the initial 60 days and she had no answer for that and that she didn't know if it was available separate.

I then called the TeleBrands Customer Service number 1-855-668-1655 and the guy that I spoke with told me that the cream wasn't available separate and that I would be billed EVERY 2 MONTHS \$39.99 and receive ANOTHER WAND with the face cream and this would be on AUTO SHIP!!! I told him he was nuts and why would ANYONE pay \$39.99 every 2 months to keep getting add'l wands?

I then called TeleBrands directly in Fairfield NJ at 201-973-227-8777 and informed them about the erroneous information that "customer service" was giving to the consumers. The rep I spoke with said it would not be on auto ship and was a one time order and that included with the package with the wand and cream I would be provided with a toll free number to order the cream separate!

She didn't seem too concerned that customer service is telling people about the \$39.99 auto ship every 2 months and I have a feeling that they are FULLY AWARE about this but won't do anything about it because all they care about is suckering the customer into being charged another \$39.99 for this product every 2 months and you know the hassle the customer would have to go through with their bank or credit card company to stop this and by then TeleBrands will already have received God knows how much money from consumers who are being wrongly charged for their product! Also some people wouldn't bother to ask for refunds either because of the hassle they would have to go through to get it back. Needless to say I certainly didn't order the product for fear I would get charged the \$39.99 again regardless of what the woman rep was telling me from the company itself. I'm filing this report to let you know that something wrong is going on here and to help other victims of this. TO ME, obvious scam!

Helpful? **YES** **NO**



Schuyler of Wilsonville, OR on Sept. 8, 2014

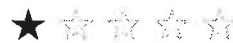


Ordered a product at regular delivery of 3 to 4 weeks. Did not choose to pay for rapid delivery of 2 to 3 days. Have not received the product in 8 weeks and counting. Was told by a rep today that high demand ran them out of stock but I could cancel order, reorder and pay for fast delivery and get it 2 to 3 days. If the product is out of stock, how does it magically appear if shipping is paid? Not good practice by Telebrands.

Helpful? **YES** **NO**



Gauri of Gangtok, Other on Aug. 6, 2014



This is a scrap product. My entire money has gone for a waste. The product is not at all durable as it is shown on the advertisements. On the day I received the parcel, I Inflated Air in it but after an hour the air started deflating from the Sofa. I inform Telebrands about this. They told me to send back the items through reliable courier. I send back and got back the replaced one in one and half month. On scrutiny, it was found that the same sofa has been sent back to me with the

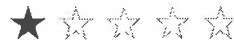


same problem. I again spoke to the customer executive in Mumbai and he was reluctant to help me out. He was answering my phone call in yes and no before hanging up the phone. He gave me the example of balloon which starts deflating after an hour and so this sofa also start deflating on the same as in case of balloon. I have given a written complaint through mail to Telebrands on 30/07/2014 but no reply from the Telebrands till I am writing this post. Do not believe in the advertisement of Telebrands. They sell all scrap product. What you see in the advertisement is just the opposite of the one you receive. Please think twice before buying any products from Telebrands India.

Helpful? **YES NO**



James of Oregon City, OR on Aug. 4, 2014



I wanted to try this product so I called up the toll free number. First off, the entire order process was automated, which I actually prefer! So far, so good. My order was placed, but I had to begin navigating a lengthy labyrinth of "But wait, we have more deals for you!" for \$\*\* more, you can get double the amount. I thought, "eh, why not". "BUT WAIT, for only \*\* more you get freeeeeeeee shipping AND MOOOOOORE PEE PADS!!! "Okay, sounds alright." "BUT WAIT!!!!!! For only X more dollars, we will throw in a \$40 gift card to Walmart AND a \$15 rewards to Telebrands!" I thought that was a pretty good deal, so I placed the order. I was charged roughly \$70 for the whole transaction. The order was placed around January 20th I believe? It's far back enough to where my mobile banking app can't find the record of it, and it will allow me to look as far back is February 4th, and now we wait for it to come in.

Days turned into weeks, and weeks turned into months. It finally arrived May 18th (A little longer then the already substantial 6-8 business week shipping time). I got home, and opened up the box. It contained 2 smaller boxes, a cleaning spray, and some loose papers. The boxes contained the large amount of pee pads. The cleaning spray was an unexpected surprise, little did I know that it would be the most useful thing in the box.

I set up the first pee pad. What it didn't do is help the dog in the direction of the pee pad. I didn't even need the dog to pee on the bull's eye. I was hoping the science educed pheromone technology might assist the dog in getting trained indoors. I didn't expect the dog to get it the first time, so I tried again and again. The dog seemed upset with it, and would whine like it's getting hurt every time we pulled a new pad out. Very strange. The pee pads did do a few unexpected things though. 1. It made our cat go nuts and 2. It attracted ants, they seemed very fascinated with the pee pads.



I thought oh well, I can just call customer service about the whole 100% customer satisfaction thing. However they couldn't do anything because it has been more than 30 days since I placed the order. I don't want to waste \$60, but I'll hold onto the pee pads I guess since I can't return them. I have to use them, so I might go out and buy a \$60 bow, and use them as targets. Targets cost me around \$7.

I received a message in the box for the \$40 to Walmart. It tells me I'm actually going to receive a gift card at the cost of \$15.99 a month. No thanks, but I'll take it. How about this voucher for \$15 for Telebrands? Seems legit so I go to the website. Of a sudden, it gives me an error message saying it's expired?! It doesn't work. I call customer service, no answer, call again, no answer. I call one more time and the person looks up, fastly.net/files/reviews/telebrands\_13005.JPG on only to be told that the card is expired, and to have a good day, followed by a click.

They charged \$58 for the order. Which confuses me that \$70 dollars worth of merchandise (including shipping and processing was free). I personally won't be ordering from them again. I could have come to some resolution. But plain and simple, I'm just not happy.

([https://consumeraffairs.global.ssl.fastly.net/files/reviews/telebrands\\_13005.JPG](https://consumeraffairs.global.ssl.fastly.net/files/reviews/telebrands_13005.JPG))

Helpful? **YES NO**



Patricia of Elizabeth City, NC on July 28, 2014



I ordered the hurricane spin mop Dolly on June 15, 2014. Today is July 28, 2014! This company is a scam and a fraud! First they told me it was shipped so they could not refund my money... then they told me it was out of stock. After six weeks of not receiving the merchandise I demanded a refund! They said I will receive the refund in 3-5 days. We will see. I am reporting it to my bank as a "fraud"! Do not order from these people!!

Helpful? **YES NO**



Tina of Mundelein, IL on April 30, 2014 260★

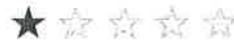
I ordered from this company for a product that they advertise. Due to some computer/internet issues, there were multiple orders placed for the one item when I only wanted one. I called the customer service number immediately after I realized the error and was "guaranteed" that I would only get ONE item and not multiple - this was Saturday. On Monday I saw that there were still 3 of the same product under different order numbers being ready to process. I called again to the customer service number. First, the representative was very rude and almost seemed like I was bothering him. Then he as well said that I would only get one item.

Today my charge card was charged for three of the same item. (Today is Wednesday.) So I called again and got "Thomas" (or at least that is what he claimed his name was). He was not listening to my issue and was not helping at all with the resolution of making sure I only got one item. I continuously asked for a manager. He refused over and over again and started to get an attitude with me. Finally after 25 minutes he finally let me talk to a manager. Then the manager said she could only stop one order. I told her after the service I have received that I did not want the product at all and would never do business with them again. From that all she could tell me is that when the product gets delivered to "refuse the delivery" and when they got it back they would refund my account. This process can take up to 3 weeks.

Helpful? **YES** **NO**



Patricia of Valley Stream, NY on April 28, 2014



Ordered back in March 2014, then found that Bed, Bath & Beyond had it at less than half the price. Called same day to cancel and got the old "it's not in our system yet, call back in two business days" line. Called back in two days to cancel and they hung up on me. Called back and finally got a cancellation number and was told the order was cancelled.

The very next day, they charged my credit card and shipped the order. When I called to complain, they said there was nothing they could do, and that when it arrived I should refuse delivery and they would refund my money. I refused delivery on April 2, 2014 -- had to take it to the post office to do this. It is now April 28, 2014 and the charge is still on my card. When I called to complain, they said there is nothing they can do, because FedEx has it that the order was delivered successfully. In order to get my refund, I should call FedEx and get them to upgrade the status to "refused." Well, guess what? FedEx can't do this because it handed the package off to the post office for delivery. The post office won't do a thing, and FedEx referred me back to TeleBrands.

This company is a scam and a fraud and after reading the other complaints, I can't believe that the authorities allow them to continue doing business. However, although they give their corporate address as Fairfield, NJ, I think that's just a front. They appear to be based in India, so that's how they get away with it. STAY AWAY from this company and all of their "As Seen on TV" garbage. I may never get my refund at this point.

Helpful? **YES** **NO**



Angelo of Brick, NJ on Feb. 19, 2014 ★ ★ ☆ ☆ ☆

Ankle Genie Product : Not satisfied ! Fits too tight! "One size does NOT fit all" as advertised !!  
Return policy does not include refund of the S/H cost to house delivery and no S/H refund for return to Telebrands - retailer of Ankle Genie. It should at least cover the return shipping cost.  
After speaking to a customer service representative (with his accent difficult to understand him) & supervisor, they did not have a RA# and no return label for mailing.

Helpful? **YES** **NO**



amal of Itanagar , OTHER on Oct. 24, 2013 ★ ☆ ☆ ☆ ☆

I have order air lounge bag from Telebrand. But inside the package there were piles of outdated magazine of LIC anniversary issues. My order no. is \*\* and invoice no. \*\*. Further before the delivery, customer card executive gave me no. \*\* as my order no. I have paid a huge amount of rs 6500+. Really I'm very much frustrated and dissatisfied with Telebrand's services.

Helpful? **YES** **NO**



Sherrill of Blooming Grove, TX on July 19, 2013 ★ ☆ ☆ ☆ ☆

Hose started leaking within a couple of days. It was more like a sprinkler than a watering hose. Now today while putting leaking part of hose in flower bed, the hose got a big bubble on it and blew up. Horrible product.

Helpful? **YES** **NO**



Susie of Columbus, IN on July 17, 2013

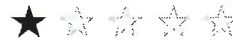


We purchased two Pocket Expandable Hoses in April 2013. We expected the hoses to last more than two months. We had other hoses that lasted years. While they did expand and retract, both hoses external material ripped away from the nozzle and the rubber internal hose developed a large bubble and burst on both hoses. Both hoses also could not be tightly attached to the spicket. We returned the hoses to the retail purchasing store and obtained a refund. We were very disappointed in this product, would not purchase in the future, and would not recommend to others.

Helpful? **YES** **NO**



Shruti of Pune, other on May 18, 2013



I ordered Fitness Pump via above order no. I received delivery on cash payment but one nut/spare part of the instrument was missing. I repeatedly called the customer care number who only once acknowledged the call and promised delivery of the one nut within 2 days. It has been 9 days and I have not received the spare part. This has resulted in non-usage of the instrument despite delivery. I strongly express my resentment for negligent handling of complaints.

Helpful? **YES** **NO**



Donald of Aurora, CO on April 2, 2013



I contacted the company because the wallet broke in the clasp and the hinge. I was told to call back and they would replace it. I did this and I was told they wouldn't do this. It states on their website that it is 100% satisfaction. Well, I didn't get a replacement.

Helpful? **YES** **NO**



Pat of Dillsboro, IN on Dec. 14, 2012 ★☆☆☆☆

I ordered a 75' hose on 11/22 and wanted to order the 100' hose also, but the operator "didn't know how to do that" and suggested that customer service could add the second hose. I called back to do so and reached someone who "didn't know how to do that" again. The third person suggested that we cancel the first order and start all over. Their commercial said that if you order one hose, you would get a second hose for a S&H charge. I wanted 4 hoses in total and was given a total price of \$111.94. I called 12/14 to check the status and was told that the order was on hold. I called again and talked with someone else and was not happy. I asked to speak to a supervisor. That man told me that if I wanted 4 hoses in total, I would have to pay that charge twice and that I would have to pay for the "sweeper" attachment separately, plus I wouldn't get it before Christmas. I was so upset that I had them cancel the entire order. So here I sit with no hoses and I have to find something else for my gifts. I say it's a total scam and to avoid Telebrands at all costs!

Helpful? **YES NO**

Janine of Orlando, FL on July 24, 2012 ★☆☆☆☆

I placed an order online. It's very slow. I did not receive a confirmation email. So, I called the 800 number, only to be on hold a long time. Finally, I was told "You must wait 24 hours to confirm an order and 72 hours to cancel it." I ordered something to be sent to my sister. So if they goof it up, she will have to refuse it to my embarrassment, or I will be liable for it on my credit card account. I am completely disgusted with customer service for this company, which is basically nonexistent! Never again will I deal with them.

Helpful? **YES NO**

Wayne of Sacramento, CA on July 12, 2012 ★☆☆☆☆

Telebrands Sticky Buddy: We ordered in February. It still is not here. Customer service persons are airheads or located in a foreign country. We ordered, the credit card was expired and was reissued. We called. Airhead assured everything now was okay with the new card. I called today,



airhead says no record of calling with new card number. Since we have read reviews on this product and basically it's a piece of junk, order at your own risk!

Helpful? **YES** **NO**



Michele of Antelope, CA on May 5, 2012



I placed order in April 2012 for \$19.59 for 2 Sticky Buddies for \$10 + \$6.99 shipping and handling. It was voice recorded. I said no to about 10 additional items offered. Today, May 4, 2012, they placed a hold on my account for \$123.33 - \$104.00 more than my original order and added multiple items and shipping charges without my approval and not at my request.

I called the vendor, they refused to stop or credit the purchase. They told me that it will ship in 10-15 days and that there was nothing they could do. I opened the box and kept what I wanted. I returned the box with the other items. They will refund the price of the items, but not the shipping and handling that was over \$34 in shipping alone! I said to cancel and that I do not want any of it. Fraud is unethical. Send me a copy of the recorded call. It is illegal to slam items on an order. My husband called back and they agreed to credit \$80 once the items were returned. They need to credit \$123.33 for all items as requested on 5/4/12! Scam, fraudulently added items not ordered to my credit card! \$104 unauthorized products and shipping/handling.

Helpful? **YES** **NO**



Vernon of Estill Springs, TN on March 28, 2012



The sharpener maybe good but their site is a rip off. They have a drop down box that says either special offer of two Edge of Glory's and two sets of three knives. The other option is one Edge of Glory and one set of three knives. I thought I had hit first box and a receipt came back at \$6.99 with no description. I thought well it is a special. Today, I received three knives, that is it. I called their customer service and I get sorry and I can return it (I paid s/h) and order from them. I said, "No, I only had choice of two items. Please just send the sharpener." No, they can not do that. "Why?" I ask. I can order direct from them. Finally, I asked for a supervisor and got disconnected.

Well, like a fool, I went back online. This time I made sure I picked first option and voila, same thing, \$6.99 no description. I called them back and told them that site is rigged. They will give me \$5 discount. I said, "But I am still out \$2." Well, I should have called and ordered. I said I want that

site reported and I want to talk to a supervisor. I was disconnected. Is there someone to report this fraud too? My husband just wanted the knife sharpener but now I have to wait to cancel 2nd order which I am sure is three more knives. If anyone knows who to report this, it would be appreciated!

Helpful? **YES** **NO**



Dennis of Moses Lake, CA on Jan. 6, 2012



The order was placed one week ago (7days) and the company does not have our order. We have called them 10 times and they say the orders have not been downloaded yet. First, they say 12 hours, then it is 24 hours. Then it is 48 hours and 72 hours. It has been one week and they have done nothing! This company is on CNN/FOX TV ads, and is a scam. Get them off the air now! Please shut this company down, they are doing nothing about our order and it has been one full week since we ordered the Lint Lizard. They say it has not been downloaded yet? What?

Helpful? **YES** **NO**



Tele-Brands of Bronx, NY on Jan. 5, 2012



I ordered a Slice-o-matic from the Telebrands marketing company. On top of over charging me on my original purchase, I never received the product. I asked for a refund. Upon not receiving the refund, I called again and, once again, asked for my refund. This process continued on 3 more occasions until I finally asked to speak to a supervisor. Every time I ask to speak to a supervisor the representatives either blatantly hang up or put me on hold and then hang up. This company refuses to give me my refund and is acting very unprofessional. It is a scam.

Helpful? **YES** **NO**



Katherine of Chicago, IL on Dec. 1, 2011



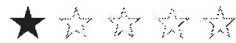
# 266

I have been calling and calling for my refund to be reissued back to my debit card for the items. I called Slim Away for \$30.98 and they told me on the 11/21/11 that it was being processed and it should be on my card in 5-7 days. Well, from 11/21/11 till 12/1/11 is more than enough time. I am mad as hell with them. I sent their cheap merchandise back to them on 11/14/11. I ordered it on 10/24 and they keep you on hold for hours. When you ask to speak to a supervisor, they hang up on you. I want my refund for \$30.98.

Helpful? **YES** **NO**



Daryel of Detroit, MI on Nov. 9, 2011



On Nov. 7, 2011; I ordered a Aluma Wallet and because of the way it is represented online. It is totally confusing and I ended up with 5 wallets instead of 2. Of course none of this showed up until the item was ordered. There was no preview. In their FAQ it says you can correct the order by calling. Well, I called back and spoke to a representative and was told it was not in the computer yet. I called them back the next day and I was told the order will be put on hold. I did that two days in a row (so the hold should have gotten through) although they tell you it isn't a guarantee - it seems a lot of people have this issue.

Nov. 8, 2011 - I checked my credit card and the charge was on there. I found out by calling 1800-777- 4034 that they still didn't have it in their system (why). I don't know. When I called on the 9th, I was told it was being processed and I asked, "How could it have been processed if it's supposed to be put on hold or take several weeks before it is sent? I asked for my order to be cancelled". Then they told me they can't cancel the order as it's been shipped. I then asked, "How could you ship it if you told me to call back within 24 to 48 hours to get it corrected. They told me when I receive it, just refuse or do not open it and take it back to UPS. That is a lot of work for me. Their customer service is really bad and they have deceptive buying tactics and they lie in saying you can get it corrected before it is sent. They must purposely make you wait those two days so they can get it out.

I am officially disputing this order because: 1. I was mislead on by the online advertisement as to how many I ordered. 2. They told me the order was on hold and it wasn't (in fairness to them one person said it wasn't a guarantee) but they play with your mind or at least their people are trained to. 3. I was told it was being processed and could not be cancelled then told it was already shipped. 4. The total of what I ordered was supposed to be 1 Wallet for \$10.99 upgrade the order to a higher quality wallet for 15.98 plus a free one for only \$4.99 shipping. The total was supposed to be \$20.98 and not \$59.20. I feel this was an illegal transaction and I will be contacting the



to stop this kind of misleading advertising. In the meantime, I will return the package as soon as it arrives.

I should get all my money back including shipping since it originally was supposed to be free shipping and they charged my account for it. I was told it was on hold then told it was being processed (which it was never supposed to come off "hold"), then told it has already been shipped when I wanted to cancel it (still supposed to be on hold). I only ordered 1 wallet and prompt said if I upgrade to better constructed wallet I would get another one free with free shipping. I wound up with 5. By the way, they did say they would email me before they mailed it out (that didn't happen).

Helpful? **YES** **NO**



Kathy of DeSoto, MO on Nov. 3, 2011



On October 17, 2011; I ordered a Chef's Basket through prompts on the phone. I never spoke to a representative and it was confusing and not clear as to what I bought and how much it was. On October 18, 2011; I called back and spoke to a representative and was told it was not in the computer yet. I called them back another day and I was told the order will be put on hold.

October 20, 2011; I found out by calling 1800-777- 4034 how much it was by speaking with Agatha (a supervisor) through their customer service. I was told it was being processed and I asked, "How could it be being processed if it's supposed to be put on hold? I want the ordered cancelled now". Then they told me they can't cancel the order as it's been shipped. I then asked, "How could you ship it if it's still being processed and it was supposed to be put on hold and now you want to charge me with the shipping? That's illegal!" They emailed me a prepaid shipping label to put on it to send it back.

I got the shipping label through email then I printed it out while waiting for this package that was supposed to be put on hold. I got the package on October 30, 2011. I opened up the package and found out they had shipped me 8 baskets and 4 Robo Stirrers. I took photos of all these then repackaged it and called UPS. I would have had to pay for the pick-up so I drove down to UPS in Festus, MO to send it back.

My original order was supposed to be for 1 basket and if I doubled the order they would send another one free of charge as long as I upgraded the basket to a sturdier one for only a few dollars more with no shipping. I meant the order was only for 2 baskets. No one told me there are 2 baskets per box from them. How I wound up with 8 baskets is beyond me but the price was supposed to be \$14.99 and not \$53.94.

The shipping should not be paid for since I did not authorize the completing of this transaction. I went to Wal-Mart and opened a box with the Chef's Basket in it and there was only 1 in the box - not 2! On October 31, 2011; Jed, from customer service told me to take it back to UPS to ship it. They don't have prepaid pick up and further said that if I was told that it was "on hold" that it wasn't guaranteed to be "on hold". He also said that shipping is not included in the refund.

I am officially disputing this charge to my account because: 1. I was mislead on the teleprompts as to how many I ordered. 2. They told me the order was on hold and it wasn't. 3. I was told it was being processed and could not be cancelled then told it was already shipped. 4. There were 2 baskets in 1 box when it normally has 1 basket in the box. 5. Shipping was charged on something that was either supposed to be put on hold or not shipped. I never authorized to send it.

6. I have photos of what I was shipped. The total of what I ordered was supposed to be 1 basket for \$10.00, upgrade the order to two of higher quality wire for only \$4.99 and there will no shipping involved. The total was supposed to be \$14.99 and not \$53.94. I feel this was an illegal transaction and I will be contacting the Better Business Bureau, Consumer Affairs and find out if there is any legal resources I can access to stop this. In the meantime I do not want them to have my money.

I should get all my money back including shipping since it originally was supposed to be free shipping and they charged my account for it. I was told it was on hold then told it was being processed (which it was never supposed to come off "hold") then told it has already been shipped when I wanted to cancel it (still supposed to be on hold). I only ordered 1 basket and prompt said if I upgrade to better wire I would get another one free with free shipping. I wound up with 8.

Helpful? **YES NO**



Stanley of California City, CA on March 10, 2011

My wife ordered one RoboStir for \$9.99. The company took \$80.06 out of my checking account. When I talked to the company, they kept telling me my wife had ordered two of them, and at the time my wife bought the item, they kept trying to sell her items that she did not want.

Helpful? **YES NO**



Mone of VA Beach, VA on Jan. 5, 2011

I received a card in the mail saying my ordered item is currently on back order, and that my credit card will not be charged until the merchandise is shipped. I did not order anything from this company, have never ordered anything from this company. Has it been under another name? Anyway, they have order numbers, descriptions, and quantities of items I do not even need (no one in my household does). The company wants me to sign the card and return it post paid to them if I wish to cancel. Where could this have come from? What can I do? I plan to call the BBB NJ tomorrow.

Helpful? **YES NO**



Sandra of Bladensburg, MD on Dec. 14, 2010

After viewing the Shoes Under advertisement on TV, I ordered the storage system online. I thought I was ordering what was advertised. When it arrived, the storage system shipped was just the plastic compartment part. I then called the company and was told that I had to purchase the deluxe model in order to receive a sturdier storage system and could not purchase just the inserts for the ones previously bought.

The plastic storage system is flimsy, hard to navigate in closet or under a bed, and are completely unacceptable. I bought eight storage systems; what a waste of money. I feel that the items being advertised are misrepresented on both TV and on the Web and they should state that the model we are viewing is the deluxe model or supply their customers the opportunity to buy inserts for the malfunctioning system they are now selling. I bought the system some months ago, and I think the return option is out of the question. \$80.00 plus shipping and handling is the financial loss. I could have bought the same thing flimsy Shoes Under from Walmart or CVS for less money if that was what I wanted. I wanted the Shoes Under that they advertised.

Helpful? **YES NO**



R.Then of Tuticorin, other on Oct. 4, 2010

Then \*\*\*, aged 36, residing at \*\*\* Tuticorin, Tamilnadu. I gave order for air lounge and got the same through VPP. Within a week itself, the air has got leaked slowly and become useless within an hour. Then again I tried to fill up the air but I got the same result. So I have mailed to Tele Brands

India regarding this issue and asked them to assist me to rectify this problem but even up to today, there was no response from them. Even though the price is high, I had brought the product because of the brand name. But I think now that I was cheated cheaply by them by not responding or assisting me in this issue. I don't know how to rectify this problem. Rs. 6000+ is not a small amount for me. So I need an action to assist me to solve this problem by returning back my money or replacing the product with a new one. Waiting for your reply.

Helpful? **YES** **NO**

[Next page \(http://www.consumeraffairs.com/online/telebrands.html?page=2\)](http://www.consumeraffairs.com/online/telebrands.html?page=2)

## TeleBrands Company Profile

### Basic Information

**Company Name:**

TeleBrands

**Website:**

[www.telebrands.com](http://www.telebrands.com)

# EXHIBIT 10

# Telebrands Recalls Scarves with Microwaveable Heat Packs Due to Fire and Burn Hazards

 [cpsc.gov/en/Recalls/2010/Telebrands-Recalls-Scarves-with-Microwaveable-Heat-Packs-Due-to-Fire-and-Burn-Hazards/](http://cpsc.gov/en/Recalls/2010/Telebrands-Recalls-Scarves-with-Microwaveable-Heat-Packs-Due-to-Fire-and-Burn-Hazards/)

FOR IMMEDIATE RELEASE      **Firm's Recall Hotline: (800) 777 - 4034**  
March 10, 2010                      CPSC Recall Hotline: (800) 638-2772  
Release # 10-159                   CPSC Media Contact: (301) 504-7908  
HC Media Contact: (613) 957-2983

## Telebrands Recalls Scarves with Microwaveable Heat Packs Due to Fire and Burn Hazards

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission and Health Canada, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

**Name of Product:** Therma Scarf scarves

**Units:** About 98,500 in the United States and about 1,500 in Canada

**Importer:** Telebrands Corp., of Fairfield, N.J.

**Hazard:** The heat packs can overheat when heated in a microwave oven, posing a fire and burn hazard to consumers.

**Incidents/Injuries:** The firm has received seven reports of overheating, including five fires, three of which resulted in property damage to the microwave. Two of the incidents were in Canada. No injuries have been reported.

**Description:** The recalled scarves have pockets and microwaveable heat packs composed of flax seeds. The scarves are made of polyester/cotton, and were sold in black and camel colors.

**Sold at:** Bed Bath & Beyond® stores, As Seen on TV retail kiosks in shopping malls nationwide, through direct response television and over the internet at [www.thermascarf.com](http://www.thermascarf.com) and [www.asseenontvguys.com](http://www.asseenontvguys.com) from October 2009 through January 2010 for between \$20 and \$25.

**Manufactured in:** China

**Remedy:** Consumers should immediately stop using the recalled Therma Scarf and return it to the place of purchase for a full refund. If purchased through the infomercial or over the internet, consumers will be contacted by Telebrands with instructions on how to obtain a full refund.

**Consumer Contact:** For additional information, contact Telebrands at (800) 777-4034 between 9 a.m. and 6 p.m. ET or visit the firm's Web site at [www.telebrands.com](http://www.telebrands.com)

**Note:** Health Canada's press release is available at [http://cpsr-rsp.c.gc.ca/PR-RP/recall-retrait-eng.jsp?re\\_id=991](http://cpsr-rsp.c.gc.ca/PR-RP/recall-retrait-eng.jsp?re_id=991)





The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of injury or death associated with the use of thousands of types of consumer products under the agency's jurisdiction. Deaths, injuries, and property damage from consumer product incidents cost the nation more than \$1 trillion annually. CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical or mechanical hazard. CPSC's work to help ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters and household chemicals — contributed to a decline in the rate of deaths and injuries associated with consumer products over the past 40 years.

Federal law bars any person from selling products subject to a publicly-announced voluntary recall by a manufacturer or a mandatory recall ordered by the Commission.

To report a dangerous product or a product-related injury go online to [www.SaferProducts.gov](http://www.SaferProducts.gov) or call CPSC's Hotline at (800) 638-2772 or teletypewriter at (301) 595-7054 for the hearing impaired. Consumers can obtain news release and recall information at [www.cpsc.gov](http://www.cpsc.gov), on Twitter @USCPSC or by subscribing to CPSC's free e-mail newsletters.

# EXHIBIT 11



# Marketer of Electronic Abdominal Exercise Belt Charged with Making False Claims

[FTC ftc.gov/news-events/press-releases/2003/10/marketer-electronic-abdominal-exercise-belt-charged-making-false](http://ftc.gov/news-events/press-releases/2003/10/marketer-electronic-abdominal-exercise-belt-charged-making-false)

## FTC Alleges "Ab Force" Belt Won't Provide Rock-Hard Abs

For Release

October 1, 2003

Telebrands Corp., TV Savings LLC, and their owner, Ajit Khubani, have been charged by the Federal Trade Commission with making the same type of false claims in the marketing and sale of their "Ab Force" electronic muscle stimulation (EMS) belt as those the FTC targeted in "Project ABSurd." The FTC alleges in an administrative complaint announced today that the respondents, through their advertisements and promotional materials for the Ab Force belt, falsely claimed that the belt causes loss of weight, inches, and fat; causes well-defined abdominal muscles; and is an effective alternative to regular exercise.

In May 2002, as part of "Project ABSurd," the FTC challenged claims made by the marketers of three widely advertised EMS belts - the Ab Tronic, AB Energizer, and Fast Abs. The Commission alleged that the marketers of those products falsely advertised that users would get "six pack" or "washboard" abs without exercise. In July 2003, the FTC announced a settlement of over \$5 million resolving the Fast Abs litigation. The Commission also announced that the U.S. district court in Nevada granted the FTC's motion for partial summary judgment against five of the seven Ab Tronic defendants, holding them liable for \$83 million in redress. The AB Energizer case still is pending.

"There is no 'free ride' on misleading advertising," said Howard Beales, Director of the FTC's Bureau of Consumer Protection. "If you purposely evoke the false claims made for a similar product, then your ads also are deceptive. And you should expect to hear from the FTC."

The FTC's complaint, filed before an administrative law judge, alleges that the New Jersey-based respondents violated the FTC Act by representing that Ab Force could produce the same results touted in the deceptive infomercials for Ab Tronic, AB Energizer, and Fast Abs.

Those infomercials essentially claimed that users could achieve weight loss, fat loss, and inch loss, get well-developed abs, and obtain results that were equivalent to volitional exercise. The Ab Force ads show well-muscled, bare-chested men and lean, shapely women wearing Ab Force belts and purportedly experiencing abdominal contractions. The ads expressly referred to "those fantastic electronic ab belt infomercials on TV" that the announcer is "sure" the viewer has seen. According to the FTC's complaint, the Ab Force ads, including through references to the prior ab infomercials, falsely claimed that:

- Ab Force causes loss of weight, inches, or fat;
- Ab Force causes well-defined abdominal muscles; and
- Use of Ab Force is an effective alternative to regular exercise.

## Previous FTC Actions

The FTC has taken four previous actions against Ajit Khubani and Telebrands. In 1990 and 1996, the Commission obtained consent judgments prohibiting Khubani and his corporations from violating the Mail or Telephone Order Merchandise Rule (Mail Order Rule) and requiring them to pay penalties of \$35,000 (1990) and \$95,000 (1996). In 1999, the FTC modified the existing 1996 consent judgment with the defendants and obtained penalties of \$800,000 to resolve alleged violations of the Mail Order Rule. In addition, in 1996, the FTC obtained an administrative order prohibiting Khubani and Telebrands from violating the FTC Act in connection with the marketing of television antennas and hearing aids.

In an administrative trial, the FTC will seek to prohibit Telebrands, TV Savings, and Khubani from making any misrepresentations about Ab Force or any other EMS device. The FTC also will seek to prohibit them from making any unsubstantiated representations about weight, inch, or fat loss, muscle definition, or the health benefits, safety, or efficacy of Ab Force or any EMS device, or any food, drug, dietary supplement, device, or any other product, service, or program.

In addition, as set forth in the notice order, the FTC is seeking to require Khubani to obtain a \$1 million performance bond before engaging in any manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any device. The notice order also includes various reporting requirements to assist the FTC in monitoring the respondents' compliance with its provisions. Finally, the notice order notes that the Commission may seek redress for consumers who purchased the Ab Force.

The Commission vote to issue the administrative complaint and notice order was 5-0.

**NOTE:** The Commission issues a complaint when it has "reason to believe" that the law has been or is being violated, and it appears to the Commission that a proceeding is in the public interest. The complaint is not a finding or ruling that the respondents have actually violated the law. Such action marks the beginning of a proceeding in which the allegations will be ruled upon after a formal hearing.

Copies of the complaint and notice order are available from the FTC's Web site at <http://www.ftc.gov> and also from the FTC's Consumer Response Center, Room 130, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580. The FTC works for the consumer to prevent fraudulent, deceptive, and unfair business practices in the marketplace and to provide information to help consumers spot, stop, and avoid them. To file a complaint, or to get free information on any of 150 consumer topics, call toll-free, 1-877-FTC-HELP (1 877-382-4357), or use the complaint form <http://www.ftc.gov>. The FTC enters Internet, telemarketing, identity theft, and other fraud-related complaints into Consumer Sentinel, a secure, online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

(FTC Matter No. 022 3279)

## Contact Information

### Media Contact:

Brenda Mack  
*Office of Public Affairs*  
202-326-2182

### Staff Contact:

Elaine Kolish or Constance Vecellio  
*Bureau of Consumer Protection*  
202-326-3042 or 202-326-2966

# EXHIBIT 12

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**TINNUS ENTERPRISES, LLC,**

**and**

**ZURU LTD.,**

**Plaintiffs,**

**v.**

**TELEBRANDS CORP.,**

**PROMETHEUS BRANDS, LLC**

**and**

**BED BATH & BEYOND INC.**

**Defendants.**

**Civ. Action No. 6:15-CV-00551**

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs Tinnus Enterprises, LLC (“Tinnus”) and ZURU Ltd. (“ZURU”), by counsel, file this complaint against Telebrands Corporation (“Telebrands”), Prometheus Brands, LLC (“Prometheus”) and Bed Bath & Beyond Inc. (“BB&B”), and in support thereof, plaintiffs state as follows:

**NATURE OF THE ACTION**

1. Plaintiffs bring this action to enjoin the manufacture, importation, distribution, use, sales, and offers to sell by Defendants of a certain product known as Balloon Bonanza that infringes or contributes toward the infringement of a valid and enforceable U.S. Patent owned by

Tinnus and licensed to ZURU, as well as for monetary damages for Defendants' willful infringement.

### **THE PARTIES**

2. Plaintiff Tinnus is a limited liability company organized under the laws of the State of Texas with its principal place of business at 3429 18th Street in Plano, Texas.

3. Plaintiff ZURU is a company organized under the laws of Hong Kong, with its principal place of business in Guangzhou, China.

4. Defendant Telebrands is a corporation organized under the laws of the State of New Jersey with its principal place of business at 79 Two Bridges Road in Fairfield, New Jersey.

5. Defendant Prometheus is a limited liability company organized under the laws of the State of New Jersey with its principal place of business at 79 Two Bridges Road in Fairfield, New Jersey.

6. Defendant BB&B is a corporation organized under the laws of the State of New York with its principal place of business at 650 Liberty Ave. in Union, New Jersey.

### **JURISDICTION AND VENUE**

7. This is a civil action for patent infringement arising under the United States patent statutes, 35 U.S.C. § 1, *et seq.*

8. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

9. Defendants are subject to this Court's personal jurisdiction because they do and have done substantial business in this judicial district, including selling and offering to sell the infringing Balloon Bonanza product in Texas and this judicial district. In addition, upon information and belief, Defendants (directly and/or through a distribution network) regularly

place infringing products in the stream of commerce with the knowledge and/or understanding that such products will be sold in Texas and in this district. Defendants are subject to the general jurisdiction of this Court because they have regular and systematic contacts with this forum such that the exercise of jurisdiction over them would not offend traditional notions of fair play and substantial justice.

10. Venue is proper in this judicial district under 28 U.S.C. § 1391(b) and (c), as well as under 28 U.S.C. § 1400(b).

### **THE PATENT-IN-SUIT**

11. On June 9, 2015, the United States Patent and Trademark Office (“USPTO”) duly and legally issued United States Patent No. 9,051,066 (“’066 Patent,” attached as **Exhibit A**), entitled “System and Method for Filling Containers with Fluids” to Tinnus.

12. Any required maintenance fees have been paid, and the ’066 Patent has not expired. Tinnus is the owner by assignment of the entire right, title and interest in the ’066 Patent. ZURU is the exclusive licensee of the ’066 Patent, and thus both plaintiffs have standing to sue for infringement of the ’066 Patent.

### **FACTS**

13. Josh Malone (“Mr. Malone”) is the founder and sole owner of Tinnus and the sole inventor of the ’066 patent.

14. By early 2014, Mr. Malone, a father of eight children and an inventor, had developed a revolutionary new toy product (a product that is now marketed as Bunch O Balloons), which would allow someone to fill as many as 100 water balloons in approximately 60 seconds.

15. The device includes a hose attachment with an opposite end that is fitted with multiple flexible tubes that connect to balloons. Versions of the device have included 35 or 37 balloons. When the hose is turned on, the balloons fill and are automatically sealed when released of the hose attachment assembly. A website advertising Mr. Malone's Bunch O Balloons product can be found at <http://www.bunchoballoons.com>.

16. On February 7, 2014, Mr. Malone filed a provisional patent application with the USPTO for his invention, which was assigned U.S. Patent Application No. 61/937,083. On February 20, 2014, Mr. Malone filed a further provisional application, U.S. Patent Application No. 61/942,193.

17. On September 22, 2014, Mr. Malone filed a non-provisional application, U.S. Patent Application No. 14/492,487 ("487 Application"), which claimed priority to the two provisional applications. Mr. Malone assigned the '487 Application to Tinnus. The '487 Application issued as the '066 Patent on June 9, 2015.

18. In March 2014, Mr. Malone, through Tinnus, began taking steps to manufacture the Bunch O Balloons product using certain Chinese contractors. The first batch of product was manufactured in June 2014. Manufacturing of the Bunch O Balloons product has continued since that time.

19. To help raise funds for the manufacture and marketing of the Bunch O Balloons product, Mr. Malone, through Tinnus, launched a Kickstarter campaign on July 22, 2014.

20. Kickstarter is the world's largest Internet crowdsource funding platform for creative projects.

21. In less than 12 hours, the project was fully funded to its initial \$10,000 goal, and within five days, the project had received over a half of a million dollars in startup funding.

22. To date, that funding has reached nearly \$1 million, and the Kickstarter video featuring the Bunch O Balloons product has had approximately 2.9 million views.

23. The same day Mr. Malone launched the Kickstarter campaign, July 22, 2014, his Bunch O Balloons invention was featured in *Sports Illustrated's* on-line magazine.

24. Two days later, *Time* magazine ran a story about his novel product on its website.

25. That same day, July 24, 2014, Mr. Malone's invention was featured on a nationally-televised broadcast of *Good Morning America*.

26. Shortly thereafter on July 27, *People* magazine covered the Bunch O Balloons product on its website.

27. Then, on July 29, just a week after Mr. Malone began his Kickstarter campaign, Mr. Malone appeared on the *Today Show* with his unique invention during a nationally-televised broadcast.

28. Moreover, the Bunch O Balloons product went viral on the web, including one YouTube review of Mr. Malone's invention, which currently has approximately 9.6 million views.

29. On July 22, 2014, the same day Mr. Malone launched his Kickstarter campaign, he received his first orders from the public for the Bunch O Balloons product, which included 598 orders.

30. Mr. Malone sold out his initial production batch on the first day of his Kickstarter campaign.

31. Mr. Malone received those orders before Telebrands began offering its Balloon Bonanza product.



32. As the publicity surrounding Mr. Malone's invention increased, so too did the interest in his product.

33. On August 21, 2014, Tinnus launched its website, <http://bunchoballoons.com>, to accept increasing numbers of product orders.

34. That website has continually received orders since that time.

35. On August 29, 2014, Tinnus shipped its first batch of the Bunch O Balloons product to customers located in the U.S. and around the world. Shipping has continued since that time.

36. Also, in August 2014, ZURU and Tinnus began negotiations to partner with each other for the manufacture, marketing, and sale of the Bunch O Balloons product.

37. On August 19, 2014, Tinnus and ZURU entered into a license agreement wherein Tinnus granted ZURU an exclusive license to intellectual property rights, including patents, relating to the Bunch O Balloons product.

38. Following execution of the license agreement, ZURU immediately began heavily investing in the development, production, and marketing of the Bunch O Balloons product.

39. To date, ZURU has invested 1.2 million dollars (U.S.) in production and facilities to ramp up the product output.

40. On information and belief, Telebrands, in conjunction with its product designer, engaged in a scheme to copy and mimic the extremely successful Bunch O Balloons product.

41. In late summer or early fall of 2014, Telebrands decided to sell a copy of Bunch O Balloons that infringes the '066 Patent.

42. Telebrands markets its copy of the Bunch O Balloons product as Balloon Bonanza.

43. Telebrands began marketing its copy of Bunch O Balloons in mid-December 2014—almost five months after Mr. Malone first introduced Bunch O Balloons to the public in his wildly successful Kickstarter campaign.

44. Telebrands is no stranger to litigation, including federal and state investigations and actions arising out of unfair competition and consumer fraud on the part of Telebrands. Public records indicate that since 1983, Telebrands has been sued more than 50 times for infringement of intellectual property rights.

45. Ajit Khubani is the CEO and founder of Telebrands. Mr. Khubani has been referred to as the “Knock-Off King” in the television infomercial industry. **Exhibit B** includes an excerpt from Ronald Grover, *Infomercial King AJ Khubani and his Telebrands Empire are Courting Inventors*, INVENTORS DIGEST, Feb. 2010, at 24.

46. In addition, Peter Bieler, the gentleman responsible for successfully marketing the ThighMaster, stated: “I was more than familiar with A. J. Khubani. He was a legend in his own time, a knock-off artist par excellence. He had a reputation in the infomercial [sic] business as someone who’d kill your direct response campaign by selling his copies to the retailers, who’d sell them for half the price. Your phones stopped ringing.” **Exhibit C** includes an excerpt from Bieler, Peter & Costas, Suzanne, *This Business Has Legs* 137 (1996).

47. Further, Mr. Remy Stern wrote: “Khubani’s greatest distinction . . . is that in [the infomercial] industry where almost every new product is a rehash of a previous product and there are precious few true inventions, he has carved out a reputation as one of the most shameless copycats in the business. . . . Creating cheaper versions of other people’s products has since become firmly embedded in Telebrands’ business plan.” **Exhibit D** includes an excerpt from Stern, Remy, *But Wait ... There’s More!* 90 (2009).

48. In addition, Telebrands has been accused of violating consumer protection laws, the latest being a suit by the New Jersey Attorney General and state Division of Consumer Affairs initiated in August 2014.

49. The nationally-recognized Better Business Bureau's ("BBB") Board of Directors revoked Telebrands's status as an "Accredited Business." On information and belief, the BBB Board did so because the BBB had received 1,397 complaints relating to Telebrands within the three years prior to the revocation. Exhibit E includes an excerpt from Better Business Bureau, Section on Business Reviews, *BBB Business Review*, <http://www.bbb.org/new-jersey/business-reviews/general-merchandise-retail/telebrands-in-fairfield-nj-19000531> (last visited June 4, 2015).

50. ZURU sent a cease and desist letter to Telebrands by e-mail on December 16, 2014 asking that Telebrands cease marketing of its copied Balloon Bonanza product.

51. Telebrands did not comply with the cease and desist letter.

52. Instead, on December 23, a week after ZURU had e-mailed the cease and desist letter to Telebrands, Telebrands's counsel replied, stating that they would be in touch.

53. Ms. Anna Mowbray, ZURU's COO, and Telebrands's Executive Vice President subsequently spoke by phone and agreed to meet at Telebrands's Hong Kong office on February 10, 2015 to try to resolve the matter. The meeting broke down when it became clear to Ms. Mowbray that Telebrands would not be willing to respect ZURU's intellectual property.

54. To date, Telebrands has continued to ignore ZURU's cease and desist letter and other requests that it cease marketing the infringing Balloon Bonanza product.

55. On March 18, 2015, Prometheus filed a trademark application with the U.S. Patent and Trademark Office for the Balloon Bonanza word mark.

56. On information and belief, Prometheus has made use of the Balloon Bonanza mark to sell, offer for sale, and market the infringing Balloon Bonanza product.

57. BB&B offers to sell and sells the infringing Balloon Bonanza product in its retail stores, including stores in this judicial district.

58. Defendants are, among other things, manufacturing, importing, using, selling, and/or offering to sell the Balloon Bonanza product, which infringes the '066 Patent. Consequently, plaintiffs' right to relief arises out of the same transaction, occurrence, and/or series of transactions or occurrences relating to the making, using, offering for sale, and/or selling the same infringing product.

### **COUNT I INFRINGEMENT OF THE '066 PATENT**

59. Plaintiffs reallege and incorporate by reference paragraphs 1 through 58 of this Complaint as if fully set forth herein.

60. Plaintiffs are the owner and exclusive licensee of the entire right, title, and interest in the '066 Patent.

61. Telebrands manufactures, uses, imports, distributes, offers to sell, and/or sells in the United States the Balloon Bonanza product that infringes the '066 Patent.

62. On or about December 16, 2014, plaintiffs requested that Telebrands cease marketing the Bunch O Balloons product.

63. On or about December 16, 2014, plaintiffs notified Telebrands that plaintiffs had a pending patent application.

64. Prometheus offers to sell, and/or sells in the United States the Balloon Bonanza product that infringes the '066 Patent.

65. BB&B offers to sell, and/or sells in the United States the Balloon Bonanza product that infringes the '066 Patent.

66. Defendants have infringed and continue to infringe, one or more claims of the '066 Patent by making, using, importing, offering to sell, and/or selling within the United States the Balloon Bonanza product.

67. Defendants' infringement of the '066 Patent has been willful.

68. Plaintiffs have been, and continue to be, damaged and irreparably harmed by Defendants' infringement, which will continue unless Defendants are enjoined by this Court.

### **REQUEST FOR RELIEF**

WHEREFORE, plaintiffs respectfully request the following relief against Defendants:

- A. A judgment that the '066 Patent is duly and legally issued, valid, and enforceable;
- B. A judgment holding Defendants liable for infringement of the '066 Patent;
- C. A temporary restraining order, preliminary injunction, and permanent injunction against Defendants, their officers, agents, servants, employees, attorneys, parent and subsidiary corporations, assigns and successors in interest, and those persons in active concert or participation with them, enjoining them from continued acts of infringement of the '066 Patent, including without limitation, an injunction against offers for sale and future sales of the infringing product;
- D. An accounting for damages and an award of compensatory damages resulting from Defendants' infringement of the '066 Patent, together with pre-judgment and post-judgment interest;
- E. A judgment holding that Defendants' infringement of the '066 Patent is willful and a trebling of damages pursuant to 35 U.S.C. § 284;

- F. A judgment holding that this action is an exceptional case and an award to plaintiffs for their attorney's fees and costs pursuant to 35 U.S.C. § 285 and other authority;
- G. A judgment that plaintiffs be awarded their costs incurred herein; and
- H. Such other relief as the Court deems just and equitable.

**DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38, plaintiffs hereby demand trial by jury.

Dated: June 9, 2015

Respectfully submitted,

/s/Eric H. Findlay

Thomas M. Dunlap, Esq. (Admitted E.D. Tex./VA  
Bar No. 44016)

David M. Ludwig, Esq. (Admitted E.D. Tex./VA  
Bar No. 73157)

Robert Spendlove, Esq. (Admitted E.D. Tex./VA  
Bar No. 75468)

Dunlap Bennett & Ludwig PLLC

211 Church Street, SE

Leesburg, Virginia 20175

(703) 777-7319 (t)

(703) 777-3656 (f)

tdunlap@dbllawyers.com

dludwig@dbllawyers.com

rspendlove@dbllawyers.com

Cortland C. Putbrese, Esq. (Admitted E.D. Tex./  
VA Bar No. 46419)

Dunlap Bennett & Ludwig PLLC

2307 East Broad Street, Ste. 301

Richmond, Virginia 23223

(804) 977-2688 (t)

(804) 977-2680 (f)

[cputbrese@dbllawyers.com](mailto:cputbrese@dbllawyers.com)

Eric H. Findlay

State Bar No. 00789886

Findlay Craft, P.C.

102 N. College Ave, Ste 900  
Tyler, TX 75702  
903-534-1100 (t)  
903-534-1137 (f)  
efindlay@findlaycraft.com

*Counsel for plaintiffs Tinnus Enterprises, LLC and  
ZURU Ltd.*



# EXHIBIT 13

## Pages - Press Release

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 [njconsumeraffairs.gov/News/Pages/08132014.aspx](http://njconsumeraffairs.gov/News/Pages/08132014.aspx)

New Jersey Division of Consumer Affairs Files Action Against "As Seen On TV" Company Telebrands for Consumer Fraud Act Violations

Newark - The Office of the Attorney General and the New Jersey Division of Consumer Affairs have filed a complaint against Telebrands Corp., the Fairfield-based company known for its "As Seen on TV" products. The state alleges that Telebrands violated the Consumer Fraud Act through its practice of aggressively upselling products through its automated phone system and websites, failing to provide means for consumers to opt out of the ordering process, shipping and billing for products not ordered by consumers, and using misleading advertisements, among other violations.

The state's five-count complaint, filed in Essex County Superior Court by the Division of Law, also alleges that Telebrands violated the terms of a 2001 Final Consent Judgment and Order that resolved prior litigation with the state and, among other things, required the company to comply with the Consumer Fraud Act. From 2012 through July 2014, the Division has received, either directly or indirectly, 340 consumer complaints regarding Telebrands' business practices.

"As demonstrated by its alleged actions, Telebrands cannot be trusted to do right by its customers or to even honor its own 2001 pledge to follow our consumer protection laws," Acting Attorney General John J. Hoffman said. "We are bringing this action to end the abusive business practices that Telebrands allegedly is inflicting upon consumers."

The state's complaint alleges that Telebrands violated the Consumer Fraud Act by engaging in unconscionable commercial practices; making false promises and/or misrepresentations; and knowingly omitting material facts, in violation of the Consumer Fraud Act; and violated the Advertising Regulations by obscuring material facts (i.e., processing fees) and using misleading terms (i.e., "SPECIAL OFFER") in its product infomercials and other advertisements. The alleged violations are based upon consumer complaints as well as an undercover investigation conducted by the Division of Consumer Affairs.

Over several months, Division of Consumer Affairs investigators made undercover purchases of products advertised and offered for sale by Telebrands, including "Instabulbs," the "Olde Brooklyn Lantern" and the "Pocket Hose." The purchases were made through various Telebrands websites and as well as the toll-free numbers featured in the company's television commercials and infomercials.

The state's complaint alleges that consumers calling the company's toll-free numbers were generally connected to the Telebrands Interactive Voice Response (IVR) System, an automated phone ordering system, rather than a live customer service representative. The state's complaint further alleges that through its Telebrands IVR System, the company subjected consumers to a lengthy ordering process, sometimes lasting over half an hour; offered additional products, yet failed to provide a mechanism to decline the offer; aggressively solicited orders for additional products (e.g., during undercover Instabulb purchase, soliciting for at least seven additional products); failed to provide consumers with an opportunity to confirm the merchandise order prior to authorizing charges; charged and shipped additional merchandise that the consumers declined to purchase while placing an order. In addition, the complaint alleges the company failed to inform consumers of Telebrands' complete purchase, cancellation and return policies; failed to provide consumers with the total cost of their orders; and failed to provide consumers with an opportunity to speak with a live customer service representative.

The state's complaint also alleges that through its product-specific and other websites, Telebrands failed to provide consumers with the opportunity to edit their virtual "shopping cart," thus resulting in consumers' ordering products they neither intended nor wanted to order; failed to inform consumers when they are completing their merchandise order and authorizing charges; made it difficult for consumers to decline solicitations by obscuring the "No Thanks" link through the use of small text and a light color; and charged consumers more than the total reflected in the summary of charges.

In addition, the state's complaint alleges that upon receipt of Telebrands' products, consumers received non-conforming merchandise; received merchandise that they did not order; were not provided with instructions as to the return of merchandise; were required to return to Telebrands the non-conforming merchandise or merchandise not ordered at the consumers' expense; and had difficulty in contacting and communicating with customer service representatives (e.g. placed on hold for lengthy periods of time and/or disconnected).

"This action against Telebrands alleges that consumers were repeatedly pressured through gimmickry, misrepresentations, and high-pressure sales tactics to buy products they didn't want," Acting Consumer Affairs Director Steve Lee said. "What's just as unconscionable is that when consumers attempted to return unwanted products and obtain refunds, they allegedly couldn't reach actual customer service representatives and were subjected to return policies that differed from what was represented in ads and on the company's web site."

For example, a Division of Consumer Affairs investigator who attempted to return an Olde Brooklyn Lantern and obtain a refund was required to make four telephone calls to the Telebrands "800" number identified in the delivery invoice, after being disconnected twice and placed on hold once. After finally reaching a Telebrands representative, the Division investigator was instructed to call another toll-free number, which connected him to the Telebrands IVR System. After being placed on hold, the Division Investigator spoke with a Telebrands customer service representative, who stated that the return could not be processed without a credit card number. The Division investigator then asked to speak with a supervisor and was then placed on hold for three minutes. The supervisor also stated that a credit card number was needed to process the refund even though the refund policy as posted on the company's web site stated that a credit card was not needed.

During the undercover purchase for the Pocket Hose, the Telebrands IVR System requested that the Division of Consumer Affairs investigator provide an email address. Two days later, the Division investigator received an email under the heading of "Welcome to Everyday Family Savings" which stated that he would be enrolled in the "Everyday Family Savings" program at a cost of \$19.95, which would automatically renew each month unless he called that day to cancel. During the order of the Pocket Hose, Telebrands did not disclose to the Division investigator that he was being enrolled in the "Everyday Family Savings" program.

Through this action, the state is seeking restitution for the affected consumers, plus civil penalties and reimbursement of its investigative costs and attorneys' fees. The Consumer Fraud Act provides for a civil penalty of up to \$10,000 per violation. Based upon Telebrands' violation of the 2001 consent judgment, the state is seeking enhanced civil penalties, in an amount of up to \$20,000 for each violation.

Investigator Elizabeth Perry in the Division of Consumer Affairs Office of Consumer Protection conducted the investigation, assisted by Investigator Michael Meola.

Deputy Attorney General Natalie A. Serock in the Consumer Fraud Prosecution Section of the Division of Law is representing the state in this action.

Consumers who believe they have been cheated or scammed by a business, or suspect any other form of

consumer abuse, can file an online complaint with the State Division of Consumer Affairs by visiting its website or by calling 1-800-242-5846 (toll free within New Jersey) or 973-504- 6200.

Follow the Division of Consumer Affairs on **Facebook** , and check our online calendar of upcoming **Consumer Outreach** events.

###

# EXHIBIT 14

## State of New Jersey

 [nj.gov/oag/newsreleases14/pr20140813a.html](http://nj.gov/oag/newsreleases14/pr20140813a.html)

View Court Filing

NEWARK – The Office of the Attorney General and the New Jersey Division of Consumer Affairs have filed a complaint against Telebrands Corp., the Fairfield-based company known for its “As Seen on TV” products. The state alleges that Telebrands violated the Consumer Fraud Act through its practice of aggressively upselling products through its automated phone system and websites, failing to provide means for consumers to opt out of the ordering process, shipping and billing for products not ordered by consumers, and using misleading advertisements, among other violations.

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Over several months, Division of Consumer Affairs investigators made undercover purchases of products advertised and offered for sale by Telebrands, including “Instabulbs,” the “Olde Brooklyn Lantern” and the “Pocket Hose.” The purchases were made through various Telebrands websites and as well as the toll-free numbers featured in the company’s television commercials and infomercials.

The state’s complaint alleges that consumers calling the company’s toll-free numbers were generally connected to the Telebrands Interactive Voice Response (IVR) System, an automated phone ordering system, rather than a live customer service representative. The state’s complaint further alleges that through its Telebrands IVR System, the company subjected consumers to a lengthy ordering process, sometimes lasting over half an hour; offered additional products, yet failed to provide a mechanism to decline the offer; aggressively solicited orders for additional products (e.g., during undercover Instabulb purchase, soliciting for at least seven additional products); failed to provide consumers with an opportunity to confirm the merchandise order prior to authorizing charges; charged and shipped additional merchandise that the consumers declined to purchase while placing an order. In addition, the complaint alleges the company failed to inform consumers of Telebrands’ complete purchase, cancellation and return policies; failed to provide consumers with the total cost of their orders; and failed to provide consumers with an opportunity to speak with a live customer service representative.

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Consumers who believe they have been cheated or scammed by a business, or suspect any other form of consumer abuse, can file a complaint with the State Division of Consumer Affairs by calling **1-800-242-5846** (toll free within New Jersey) or **973-504-6200**.



# EXHIBIT 15

All

Shop by  
Department

Peter's Amazon.com  
Help

Today's Deals

Gift Cards

Sell

Hello, Peter  
Your Account

Your  
Prime

Wish  
List

0

Cart

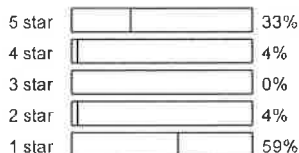
Telebrands Balloon Bonanza as Seen on TV

Customer Reviews

## Customer Reviews

24

2.5 out of 5 stars



Rate this item

Write a review



## Telebrands Balloon Bonanza as Seen o...

by Telebrands

Price: \$16.85

Add to Cart

Add to Wish List

### Most helpful positive review

See all 9 positive reviews

27 of 29 people found the following review helpful

**they worked great, filled up entirely**

By Ohio Mom on June 4, 2015

There is a trick to getting these to work correctly! While you are filling them, rest them in the container so they are not hanging freely. It also works to fill the container with some water and rest them on the surface of the water when filling them. This way, the gravity and weight of the water won't pull the balloon off the filling stick prematurely. Found this out the hard way, but once we figured it out, they worked great, filled up entirely, and didn't slip off until we lifted them (once they appeared full). Great fun and what a

### Most helpful critical review

See all 15 critical reviews

11 of 11 people found the following review helpful

**The concept is great, however the**

**end product leaves a lot to ...**

By Jonathan Barnes on June 3, 2015

The concept is great, however the end product leaves a lot to be desired. The water balloons do not ever reach a real useful size before they drop off automatically. They were also very difficult to bust many times just bouncing off of the person you were throwing them at. For the price it may be much better to just use the old fashioned kind.



Ad feedback

Sort  
by:

Most ...

Filter  
by:

All review...

All critical

Keyword

Search

Showing 11-15 of 15 reviews (critical) show all reviews

0 of 1 people found the following review helpful

**Not worth the money at all**

By GMH on June 12, 2015

Verified Purchase

Balloons do not fill up all the way making them near impossible to have any kind of balloon war with...we spent more time chasing the balloons that failed to pop across the street before they burst open on any grass, which most were duds anyway.

I do not recommend this item and will not purchase again.

Sticking to the old school method- which is much more fun, even if it is time consuming. Rushing ends up wasting.

Lesson learned.:

Comment

Was this review helpful to you?

Yes

No

Report abuse

1 of 3 people found the following review helpful

**Balloon Bonanza- what a bust**

By 3LittleBirds on June 12, 2015

I bought this because my 3 daughters wouldn't stop asking for it, and I saw it in Walmart and thought "what the heck"... we got it out today. It is very easy, I will give them that. Simply hook up the bundle of balloons to your hose, like you would a hose nozzle. Slowly start the water and watch the balloons fill up, then drop into your bucket. The only problem? Out of 40 balloons on the bundle, a whopping SEVENTEEN of them never filled. We took the 23 that did fill and tried to play with them, but not a single one broke while hitting someone. They felt

### Questions? Get fast answers from reviewers

What do you want to know about Telebrands Balloon Bonanza as Seen on TV?

See all 4 answered questions

Ask

### Customers who viewed this also viewed



Bunch O Balloons Water Balloons (100 Balloons Per Minute) (Super Fast and Easy) by Bunch O Balloons

111

\$20.99



Crazy Balloons - Fills and Ties 100 Water Balloons in a Minute - Hose Attachment Filler - Includes 148 Self Sealing Balloons - Make a Bunch by Kamhi World

34

\$21.99

Magic Balloons! Fill a Bunch in a Minute! by Magic balloons

like baseballs hitting us. They would only break when hitting the ground. It was so sad! My girls had been waiting to use them and then all we heard was "Ow! Ow!" 23 times. I will never recommend this to anyone, which is sad because filling up water balloons on your own is hard work and I had high hopes for this. At the very least, the balloons should fill up fuller so that they break when they hit someone; if that had happened I would have probably given 3 stars (despite having almost half of them not fill up).



\$12.05

41

Comment Was this review helpful to you?   Report abuse

### Send us feedback

How can we make Amazon Customer Reviews better for you?

Let us know here.

1 of 3 people found the following review helpful

#### Huge disappointment and waste of money

By B. Fritzsche on June 13, 2015

Unfortunately, I did not check reviews before purchasing this product in store. Same problems as several other reviewers: balloons did not fill up all the way (or at all), they were so rubbery and bouncy that the only way to break them is to step on them on concrete or throw them as hard as you can on the ground, and they shrank after only a few minutes. Completely useless product and a HUGE waste of money. I would rather just take the time to fill and tie the tops myself.

Comment Was this review helpful to you?   Report abuse

2 of 5 people found the following review helpful

#### DO NOT BUY!

By Paula Wing on June 12, 2015

Verified Purchase

We purchased this product for a summer camp balloon fight and it was awful! The minute after we filled them, the ones that filled, they were deflating and after about 20 minutes, they were unusable. They fill quickly, but thats all they do. They are not useful for a water balloon fight or toss, and do not last for any time at all. It doesn't help that they are not biodegradable so after they are thrown they need to be picked-up. I DO NOT recommend.

Comment Was this review helpful to you?   Report abuse

1 of 4 people found the following review helpful

... for a group water balloon fight and was very disappointed! First only about 3/4 of them filled with ...

By SCINCI on June 8, 2015




I bought 2 sets of these for a group water balloon fight and was very disappointed! First only about 3/4 of them filled with water and were good to use. In the instructions it say to use within 10 minutes of filling--because the immediately start to lose water. By the time we had them all filled, the first ones had lost so much water that they were unusable. I would never spend my hard earned only on these again.

Comment Was this review helpful to you?   Report abuse

← Previous 1 2 Next →

◀ See all details for Telebrands Balloon Bonanza as Seen on TV

### Sponsored Links (What's this?)

- **Balloon Bonanza-Free S&H**  As **Seen On TV-Balloon Sealer** \$12.99 Fastest Way To Fill & Seal **Balloons** [buyballoonbonanza.com/WaterBalloons](http://buyballoonbonanza.com/WaterBalloons)
- **Bonanza Balloons**  20% Off All **Balloon** Deliveries! Order Now & Send **Balloons** Today [www.sendflowers.com/Balloons](http://www.sendflowers.com/Balloons)
- **As Seen On TV Store**  Buy the Top Infomercial Products at the Official As **Seen On TV** Store [www.asseenontv.com/](http://www.asseenontv.com/)

Ad feedback

### Your Recently Viewed Items and Featured Recommendations

Inspired by your browsing history

Page 1 of 7

# EXHIBIT 16

Dear Valued Customer

Thank you for your recent order.  
Unfortunately, we are unable to ship the  
following items from your order at this time:

!ALLOON BONANZA

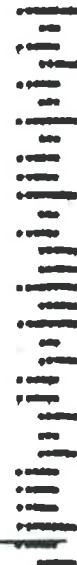
These items have been cancelled. If you  
ordered by check, a refund check has been  
issued and mailed to you. If you ordered  
using a credit card, your card was not billed.

We sincerely appreciate your business and  
apologize for any inconvenience this may  
cause you.

FIRST CLASS  
US POSTAGE  
PAID

PERMIT NO. 90  
W. CALDWELL, NJ

6371748  
JOSH MALONE  
3429 18TH ST  
PLANO, TX 75074



# EXHIBIT 17

# Balloon Bonanza

 tvstuffreviews.com /balloon-bonanza

## How It Works

To use your Balloon Bonanza, you'll have to attach it to a garden hose and turn it on. Once it's on, it'll begin to simultaneously fill the device's 40 cylinders with water, and this water will flood into the attached balloons. The device will sense when each balloon is full, and tie it without help from you, by making use of aqua-sealing technology. After that, your balloons will be ready to go!

## TOP COMPLAINTS

- **#1 No Refills**

Once filled, the device does not come with refill balloons, and does not have an option to buy such a bundle. Instead, you are forced to buy an entirely new batch, with the hose attachment and all. This can be an issue for those wanting to save money by just buying a refill attachment. Additionally, not having a refillable attachment also means the device that attaches to the hose is rendered useless, creating more waste. Essentially, not having refills makes this product a onetime device.

- **#2 Order Page Not Secure**

Many customers have complained that ordering through the official website left them worried that their credit card information had been exposed. While the site mentioned it uses a secure SSL certificate, the site's order form url is an 'http' format instead of the secure 'https' tag it should be had the site been using a secure SSL certificate.

- **#3 Water Pressure Issue**

If some of the balloons pop or do not fill properly while the hose is on, this will affect how well the other balloons get filled. Thus, you might have balloons that are not fully filled, while others have popped or were defective from the start. For a one time use product, this can be a major issue - especially if the user only purchased one set.

- **#4 Balloons Come in One Color**

All the balloons you get with a Balloon Bonanza are the same shade, which may disappoint users who like to blow up water balloons in a variety of different colors.

- **#5 Back Orders**

Due to the popularity of this product, back orders seem to be common with customers that place an order. Customers do not receive back order notification until after their orders are placed, which can be very inconvenient if they were ordered for a fast approaching event or party. This delay can even occur for those that **opt in for priority delivery**. Thus, instead of receiving your product three to five days from ordering, you can easily be waiting **three to six weeks** for your product. As the company grows in size and inventory, this problem is sure to minimize. However, in 2015, customers are still encountering this issue.



## Bunch O Balloons

The initial **CONCEPT** first appeared under the name 'Bunch O Balloons' (A COMPLETELY DIFFERENT PRODUCT). The invention was developed by a father trying to find a solution to his kids' love of water balloons. Josh Malone, a husband, inventor and father to eight children decided to experiment with easier ways to fill water balloons quickly. It was not long before the perfect solution came to fruition. Malone figured out that by tying balloons with a tiny rubber band, sticking a thin plastic tube through them and attaching them to a secure base for the water to flow into them - he had made a faster and easier alternative to filling water balloons manually.

Malone introduced his idea at the New York City American International Toy Fair in 2014. He also launched a Kickstarter Campaign, which quickly accumulated over twenty one thousand backers. In addition to his funding success, the product has also been featured on popular media platforms, such as ABC News, Good Morning America, People, Today, Gizmodo, Sports Illustrated and the Huffington Post.

- Nearly \$1 Million Funded via Kickstarter

Under the name Bunch O Balloons, this concept not only had thousands of eager backers - but it also had nearly one million dollars in funding. The now-closed campaign reached \$929, 160 with the help of Command Partners, a crowd funding marketing agency. The most popular pledge was in the form of seventeen dollars, which attracted 3,677 backers to the campaign.

## LEGAL DISPUTE

Bunch O Balloons has a registered trademark and copyright. They have also applied for U.S. and international patents. The USPTO has approved their application and will issue the patent very soon. The invention is owned by Mr Malone's company Tinnus Enterprises, LLC. It is licensed to Zuru Toys for exclusive worldwide manufacturing and distribution. No other entities are authorized, including Balloon Bonanza to use the patent. Tinnus Enterprises are currently enforcing their rights through court trade agencies.

- The above paragraph is information given to TVStuffReviews directly by Josh Malone.
- We have not received any information from Telebrands; however, will gladly post it when we do.

## DIY Home Made Version

The idea beside Balloon Bonanza is quite simple; which allows you to create a free or cheap homemade version with a little effort and creativity. Consider the basic premise: fill multiple balloons at once using water.

You will need:

1. Garden Hose (w/ water supply)
2. Hose Cap (Some bottle caps may work)
3. A Drill
4. 10 Straws
5. Sealant (Hot Glue, or Cocking)
6. BALLONS & Small Elastic Bands
7. Time & Patience

### 1. STEP 1

- Locate a hose cap that fits your house garden hose. These can be purchased at your local hardware store for under \$2.00. As a free alternative, you may be able to locate a bottle cap which fits the end of your hose.

2. **STEP 2**

- Drill 10 equally spaced holes in the cap. Your 10 straws will be inserted through these openings. These holes must be large enough for straws to fit through. You will want to ensure not to make the holes too large or the straws will not stay in place, and water will leak out around the holes.

3. **STEP 3**

- Place the straws through each hole then secure them in place using any form of water resistant sealant. You can use a hot glue gun, or even bathroom cocking for this purpose. Make sure the straws do not protrude too far past the opening of the cap or else your cap will not secure to the garden hose. Allow drying time.

4. **STEP 4**

- Attach the cap to the garden hose, then attach the balloons to each straw end using elastic bands.

5. **STEP 5**

Turn the water on with light pressure. Allow the balloons to fill with water. Depending on the tightness of the elastic bands and durability of balloons you will have two choices. You can either wait for the balloons to become so large that they slip off the straw ends and are auto sealed by the elastic bands. Alternatively you can turn the water off and either shake the balloons off, or safely remove the balloons from the straws; allows the elastic bands to seal the balloons.

6. **HINT**

- By following steps 4 & 5 you should be able to reuse the Balloon Bonanza with traditional balloons bought at Wal-Mart.

7. **DISCLAIMER**

- An improvised DIY version will never work as well as the Balloon Bonanza, which was designed for the specific purpose of producing water balloons.

## Really?

- **Recyclable**

Since this is a **one time use product**, the company decided to ensure its remaining parts, including the hose attachment and stems were recyclable and environmentally friendly. The stems are created from polypropylene plastic, which is recyclable at most common recycling facilities. Furthermore, the balloons are biodegradable, which make them more gentle on the environment as they are made from natural rubber. Unfortunately, the only piece that is not entirely environmentally friendly is the elastic o-ring used to automatically tie the balloon up after release from the water hose. These are made of synthetic rubber and are harsher on the environment due to their inability to quickly biodegrade.

- **Works Quickly**

When you fill water balloons one by one using a hose or tap, it could take 15 minutes or longer to fill up 40 water balloons. However, when you use the Balloon Bonanza, it will fill 40 of them in just seconds.

- **Ties Balloons**

Tying the balloons may be the most difficult part of getting water balloons ready, especially if you're working with young children who may not have the best hand-eye coordination. The process is time-consuming with any group of people, and throughout, water often ends up dripping out of the balloons. Fortunately, your Balloon Bonanza will automatically tie all of your balloons for you as it fills them, so you won't have to deal with any of these issues.

- **Balloons Aren't Oversized**

While kids may enjoy playing with huge water balloons, sometimes they can actually hurt people who get hit very hard with one. The Balloon Bonanza's balloons are big enough to have fun with, but they won't fill up to a size that makes them likely to hurt someone on impact.

- **Easy to Carry**

Each Balloon Bonanza itself is quite light and small in size, so these devices are easy to carry, regardless of whether you're walking out to the backyard or going across town by car or bike.

## **Alternatives**

There are other products that have the exact same function as Balloon Bonanza. Lower priced alternatives are also, generally, lower quality and do not work as well. If you are buying this as a onetime use item you may wish you sacrifice quality for cost. That choice will be yours. In contract there are additional items available at a similar cost; their quality and performance ability is unknown to TVStuffReviews.

Alternative Water Balloon Fillers Include:

## **Uses**

### **1. Corporate Events**

You would not really think of water balloons as something that adults would do, though many would be surprised at how responsive colleagues or employees can be when it comes to having a little fun with water. Corporate events can easily be livened up with some water balloon activities, helping colleagues bond while having some clean fun. Best of all, this kind of activity is safe for children, which means the event can be family-friendly.

### **2. Parties**

This product is not only for an intimate family Sunday. It can also be used for children's (or adult) parties, with water balloons that fill up in under one minute. This speed can be great if you are trying to arm many party goers with the arsenal they need for a fun and exciting water balloon fight.

### **3. Organizations**

Whether you are in charge of boy or girl scout troops, foster children, or afterschool programs - children of all ages can enjoy the fun that quick filling water balloons bring. This product is especially convenient for large groups, making it ideal for organizations that regularly cater to children requiring group activities.

### **4. Water Balloon Catch**

If you have at least one friend or family member to play with, you can play a game of water balloon catch with your new balloons. Someone is bound to get soaked at some point, which most players

will find refreshing on a hot day.

## **5. Water Balloon Duels**

With a large group of friends or family members, you can ramp things up past the catch level and have an all-out duel, guaranteeing that virtually everyone will end up soaked. This is also a great activity for a school class or a sports team looking to unwind.

## **6. Water Balloon Sports**

To make traditional sports such as baseball seem more interesting, you can substitute standard balls for water balloons. Since you'll probably be kicking or whacking the balloons, almost everyone playing is likely to end up covered in water.

## **7. Pranks**

If you know that one of your parents will be arriving at home and getting out of their car, you may want to sneak up on them and get them just a little bit wet. You can also do this when you know they'll be heading into the backyard, not suspecting a thing!

# **WARNINGS**

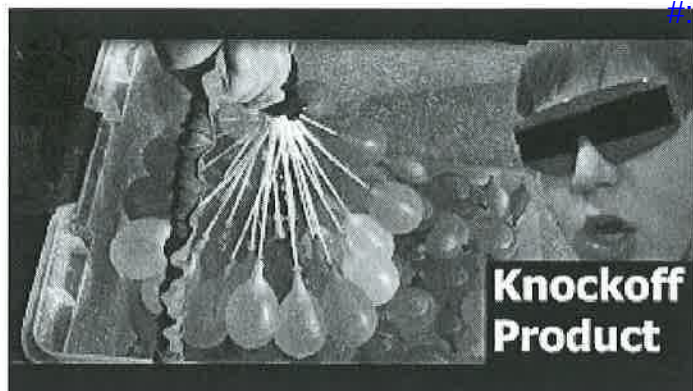
- **Water Balloon Injuries**

Surprisingly, water balloon injuries are not uncommon. According to an extensive clinical study done in the 1990's, water balloons that are thrown with force, or with catapults, can result in serious eye damage. This damage can include temporary loss of vision, damaged irises, hemorrhaging of the eyes and sphincter tears within the eye.

Since the amount of balloons accessible increases tremendously due to the convenience of this device, this fact also increases the likelihood of facial or eye injuries. The injuries do not only apply to children. Adults can easily become victims of temporary eye sight loss due to a water balloon. Annie Baxter is one example of how innocent fun can turn into dozens of trips to the eye doctor due to a water balloon injury.

# **Fun Ideas**

# EXHIBIT 18



8+1

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19 CUSTOMER REVIEWS ▼

WRITE REVIEW

Average Customer Rating:

2.1

Click to View

5 STARS

2

4 STARS

2

3 STARS

1

2 STARS

1

1 STARS

10

AdChoices

► Balloon Delivery

► Party Balloon

► Balloon O Bunch

Sort reviews by: Newest | Most Helpful | Highest Rated | Lowest Rated

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Tammy - (Janesville, WI)

Reviewed on: 06 Jun 2015

**I Regret Buying it!**

## Balloons Are Hard to Break - Don't Buy!

We tried this out today and the balloons do not pop on contact. Instead we came out with welts all over us from the impact with no break on the balloon. We will never buy this product again and probably won't finish the pack.

0 of 0 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Donna - (Whitewater, WI)

Reviewed on: 10 Apr 2015

**I Regret Buying it!**

I thought the ad said something about being able to buy additional balloons to amount to over 300 balloons? I couldn't find any place to order those! Had to place another complete order to get additional balloons! Needless to say, was not happy!

32 of 36 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Ryson Shepherd

15 Apr 2015

Can you use other water ballons for this, or just their water ballons?

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Kayte  
10 May 2015

It's a one time use thing.

Mic - (Front Royal, VA)  
Reviewed on: 22 Apr 2015  
**I Regret Buying it!**

### Extra Balloons

I called customer service and asked about extra balloons. The operator didn't know anything about replacement balloons. You have to buy a whole new set! What a rip off!

20 of 21 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Elice - (Salisbury, MD)  
Reviewed on: 05 May 2015  
**I Regret Buying it!**

### 1 Time Use

When you're done and you used all of it, you can't use more, you're done!

5 of 5 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment



Reply

Brock - (Mobile, AL)

Reviewed on: 14 May 2015

**I Regret Buying it!**

Too scared to post as I don't have an english degree, but I will not be purchasing this item. My kids will be disappointed, but I'm saving them heartache down the road when they have used them all up and there aren't anymore balloons I can order. Oh well, seems like a simple fix, imo.

3 of 4 people found this review helpful.

Was this review helpful to you?

[Yes] [No]

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Janelle - (Ann Arbor, MI)

Reviewed on: 05 May 2015

**I Regret Buying it!**

**Very Dissatisfied**

I bought this over a week ago and paid \$5.99 for shipping plus an extra \$9.99 for 3-5 day priority. I did not receive my order yet and checked the status online and it is now on backorder. Very misleading and poor service to promise 3-5 days and not notify the customer of any backorder status until after the product is expected to arrive. Now being told 3-6 weeks. Which is a major inconvenience since the product was ordered for. My son's birthday party. The item is reusable according to customer service and extra balloons are not sold by the company. You have to order thru retail... if you can find anyone who sells the special kind. You can only purchase the whole system thru the company.

It better be worth the wait. Summers going to be over by the time it gets here.

0 of 0 people found this review helpful.

Was this review helpful to you?

[Yes] [No]

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Tina - (Los Ranchos de Albuq, NM)

Reviewed on: 10 May 2015

**I Regret Buying it!**

### Slow Order Processing

I would not bother ordering this product. I placed an order after seeing numerous ads for my 4 yr old birthday party. It doesn't really matter if it works. I have called the marketer of the balloons numerous times to check the status. Despite paying extra for priority shipping- my order has not shipped despite placing it weeks ago. I wouldn't know it was on back order had I not called numerous times. Each time I'm given false hope. I doubt I will get this order in time for summer. Save your money and the frustration- Don't order this product.

2 of 2 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Tom

22 May 2015

They took my money than called me five weeks later and wanted the money again. Needless to say they won't get a dime from me. Took them to long to process it so my card returned my money. What a rip off piece of crap.

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Jenny - (Chillicothe, OH)

Reviewed on: 18 May 2015

**I Regret Buying it!**

### Bad Service

Ordered this product 5 weeks ago. Finally called to see where the product was and they said they just

processed my order because they were out of stock. No notification that they were out of stock ever!

0 of 0 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Tom - (West Chester, OH)

Reviewed on: 22 May 2015

**I Regret Buying it!**

### VERY POOR CUSTOMER SERVICE

I never even got mine. I ordered mine and they took my money than waited until 5 weeks later to call my wife and start yelling at her over the phone. Than when she called customer service the guy yelled at her and hung up on her. The whole problem was they took way to long to process my order my credit card returned my money to me. So they call and start complaining about the money. Hey its not our fault its ballon bonanza fault. Screw this piss poor company. I will not recommend this product to any one.

3 of 3 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Dee - (Bloomfield, NM)

Reviewed on: 30 May 2015

**I Regret Buying it!**

### Waste of Money

Bought these and not only do they not have refills which would be fine if the product didn't have 20 balloons on each holder with holes. If I can't refill it I would at least like to get my moneys worth.

1 of 1 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

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Your Comment

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- - - - Not Required For  
Comments & Questions

Name

First Name

Brief Title

2-7 Word Title Summary

Review or Comment or Question

Review - Comment - Question

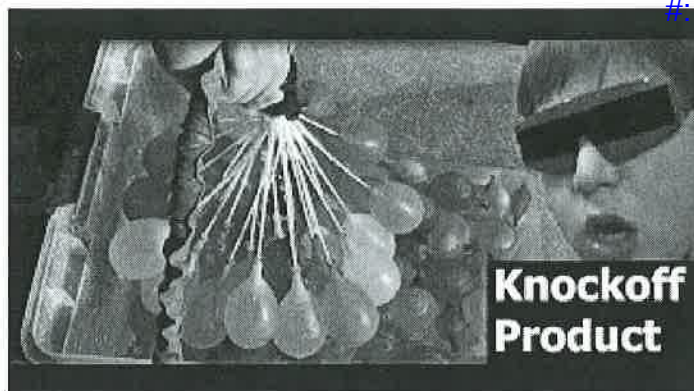
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Your Opinion Counts!

10 Questions & Comments ▼

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[WRITE REVIEW](#)

Average Customer Rating:

2.1

Click to View

5 STARS

2

4 STARS

2

3 STARS

1

2 STARS

1

1 STARS

10

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Morgan - (Morton Grove, IL)

Reviewed on: 26 May 2015

**I Regret Buying it!**

## Terrible

Took forever and it didn't even work. None sealed and only filled about 5.

0 of 0 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

[Reply](#)

Pansy - (Austin, TX)

Reviewed on: 11 Feb 2015

**I Recommend Buying it!**

## Made in China

I received my balloons much earlier than expected, so kuddos for that - great job. I wasn't intending on seeing mine until July 2015 but they came last month. I can't wait to try them out with my 5 year old and I'm not sure which one of us will be having more fun with them, him or me. I have only one complaint as of right now. While I understand that a lot of the products that we the public buy and consume are produced overseas, I was somewhat disappointed these came from China. I know it was never stated or indicated these would be entirely produced and shipped from within the US, I, along with many others, apparently assumed they would have been. I think that information should have been made known up front. I understand also why it was not. Had we all known these were going to be produced and shipped from China, I doubt as many people would have pledged their backing for this. I'm still further disappointed and surprised that since Tinnus Enterprises is based in my home state of Texas that you folks would have kept things at "home." The question now is had I known these balloons were to be produced in and shipped from China, would I have backed this Kickstarter Project? My answer to this is I'm not sure, but it would have been nice to have been able to make that choice, having all the information from the start. Will I buy anymore of these? I don't know, maybe... Bottom line for me though, next time Tinnus, please make sure you let the people know ALL the details from the start. Try not to be like all the other "Big Business" types out there and ship your manufacturing overseas. Keep things at home and help support our economy here. I've indicated my feelings and held nothing back and was considerate while doing so. Regardless on whether all my balloons fill up or how many have tiny holes in them, I give you guys 4 out of 5 stars for this project. It is an awesome concept and a great product. If you want that 5th star from me you'll need to bring your manufacturing home to Texas - if not in Texas then somewhere in the Good Ole U.S. of A. Take care.

- Originally Posted on KickStarter.com for Bunch O Balloons

0 of 0 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Dee

30 May 2015

Why leave a comment for a product you haven't even tried?

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Leah - (Hartwell, GA)

Reviewed on: 17 Apr 2015

**I Recommend Buying it!**

**Its Soooooooo Fun**

It's so fun, but I got super sick like. My mom won't let me outside but still so so so so so fun ; )

1 of 10 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Skye

05 May 2015

"So fun? " Bad, bad grammar! Please, it is "so much fun! "

I hope you're feeling better and will be able to get outside soon! : )

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Jodi

09 May 2015

I think you should learn how to read before correcting other's grammar. You obviously live in a glass house; don't throw stones! He said "It's so fun".

Paula

16 May 2015

A kid leaves a comment for a kid product, you snarkily pick apart their grammar, and finish with a patronizing end. Classy, Skye. ( "Bad, bad grammar" isn't a complete sentence. I do not think you are in a position to correct anyone. ) .

Anonymous - (San Francisco, CA)

Reviewed on: 26 Jan 2015

**I Recommend Buying it!**

## Works Good

I was surprised and ecstatic to receive my balloons months ahead of schedule. I received the red, white, and blue as well as green ones, and, because I live in sunny California (sorry, the rest of the U.S.), I immediately went to test them out with the kids. It fit the nozzle perfectly and most of them filled up pretty decently (a few had holes). The bands held nicely (no leaks on the filled ones) and we had a great middle-of-winter water balloon fight. Saving the rest for summer BBQs, thank you!

- Originally Posted on Kickstarter.com for Bunch O Balloons

0 of 0 people found this review helpful.

Was this review helpful to you?

[Yes] [No]

Reply

- Write Your Reply

Your Name

Your Comment

Reply

Scott Vanourek - (North Richland Hills, TX)

Reviewed on: 15 May 2015



## **I Recommend Buying it!**

### **Awesome Customer Service**

Wow! Great customer service. Had a shipping problem, and they responded quickly and resolved the issue quickly. Tried the product this weekend and loved it! Thank you!

Given the fact that I have 3 young boys, I am sure that I will be using a LOT of your products in the future - Great idea and great execution!!!

- Originally Posted on KickStarter.com for Bunch O Balloons

0 of 0 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

[Reply](#)

- [Write Your Reply](#)

Your Name

Your Comment

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Amazon Customer - (Lone Tree, CO)

Reviewed on: 12 May 2015

## **I Recommend Buying it!**

### **Price is worth Sanity**

This was definitely a perfect purchase for my cookout. With 5 young ones, they always spend more time in line waiting for me fill and tie a balloon than they do actually playing with them and that's not fun for anyone. YES the balloons are expensive but their current commercial on TV says that you can buy one and get a second one free if you call them. For me it was worth the extra money to fill all the balloons at once and the kids loved watching it and loved helping to do it, that was almost as much fun as the water balloon fight itself. Two of mine worked perfectly and all balloons filled but on the last failed to fill about 10 of them. The price of the this product is worth my time and energy and let me enjoy more time with my Mother on Mother's Day.

- Originally Posted on Amazon.com.

0 of 0 people found this review helpful.

Was this review helpful to you?

[\[Yes\]](#) [\[No\]](#)

[Reply](#)

- [Write Your Reply](#)

Your Name

Your Comment

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## • Add Review, Comment, or Question

Rating

--- Not Required For  
Comments & Questions

Name

First Name

Brief Title

2-7 Word Title Summary

Review or Comment or Question

Review - Comment - Question

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Reviews, Comments & Questions Help Everyone  
Your Opinion Counts!

10 Questions & Comments ▼

Add Question / Comment

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# EXHIBIT 19

# ZURU Bunch O Balloons™

## Bunch O Balloons: Pack of 100+ Balloons

Bunch O Balloons

**NOTE: THIS IS NOT THE BUNCH O BALLOONS TV OFFER.** If you are looking for the TV Offer, please go to [buybunchoballoons.com](http://buybunchoballoons.com).

Allow 1-2 weeks for shipping within U.S and 2-4 weeks for shipping outside U.S., depending on availability.

Fill and tie hundreds of water balloons in minutes with our attachment that comes ready-to-go, no preparation necessary!

It is time to bring your water balloon fights to the next level with Bunch O Balloons - the hose attachment with 37 pre-connected balloons that automatically fill and tie themselves! This system makes it easy for kids of all ages to prepare 100 water balloons in just ONE minute, giving you enough water balloon ammo for any battle.

Each pack comes with three (3) Bunch O Balloons, a total of 111 balloons!

Color

Green



Package

1 Pack



\$ 17.00

Add to cart

Like 5.3k

Tweet 202 Post



# EXHIBIT 20





## FAST AND EASY CHECKOUT!

### SELECT ORDER OPTIONS:

Offer

BunchoBalloons Triple Offer \$12.99, plus \$5.99 p&h

Quantity

1

### SELECT PAYMENT TYPE:



 **PayPal** Check out

The safer, easier way to pay

[What is PayPal?](#)

### CART CONTENTS:

BunchoBalloons Triple Offer \$12.99, plus \$5.99 p&h

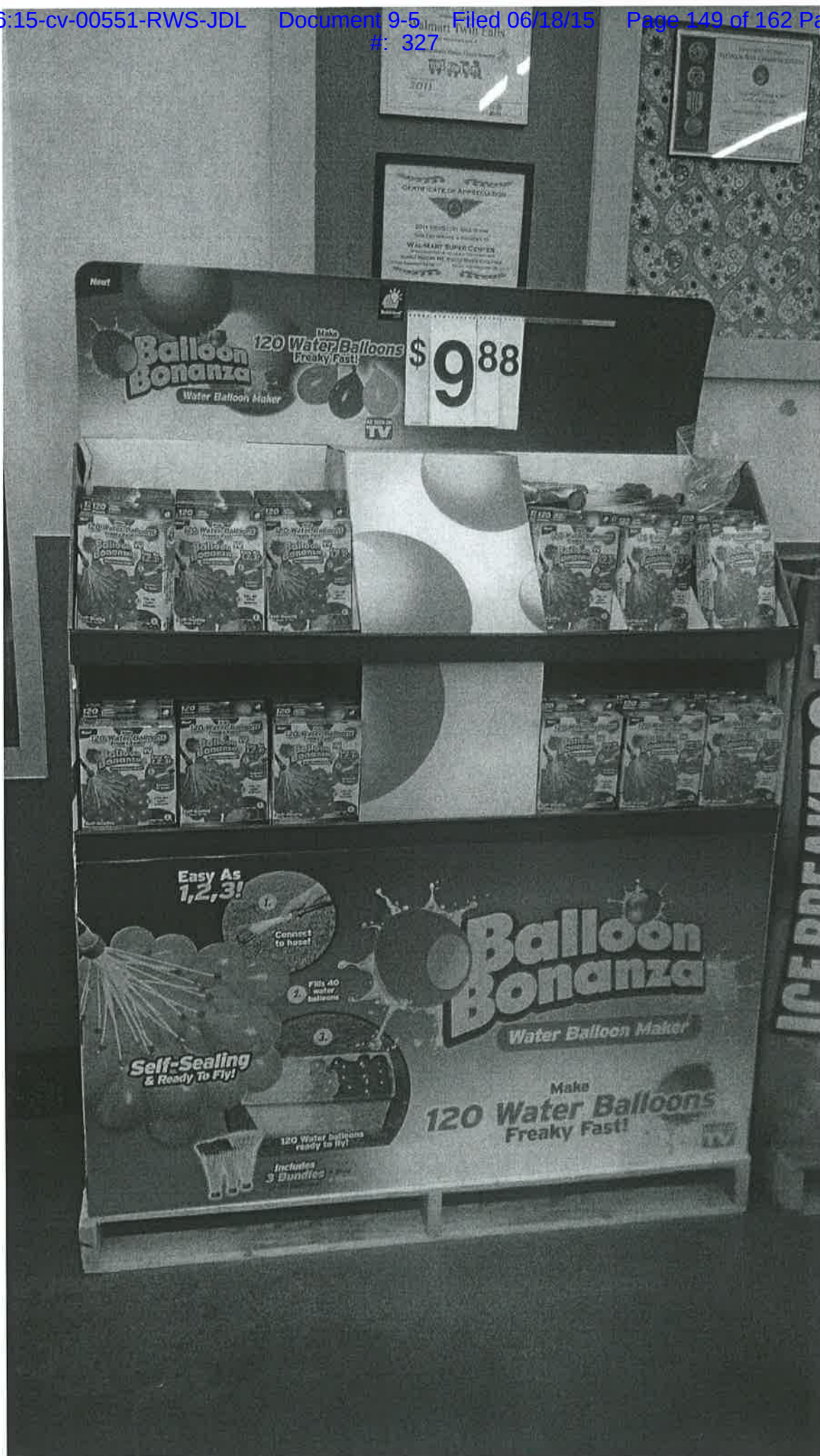
Qty	Price	P&H	Total
1	\$12.99	\$5.99	\$18.98

Subtotal:		\$12.99
Standard Delivery Time: 3-4 Weeks	Processing & Handling:	\$5.99
Order Total:		\$18.98

### SHIPPING INFORMATION:

Country

# EXHIBIT 21












# EXHIBIT 22

## Predatory Pricing Practices and the Toy Industry

 [globaltoynews.com/2010/08/walmart-predatory-pricing-and-the-toy-industry.html](http://globaltoynews.com/2010/08/walmart-predatory-pricing-and-the-toy-industry.html)

Gerrick Johnson of BMO Capital Markets (a lovely fellow by the way, you should have the pleasure of making his acquaintance) is a keen observer and a fan of the toy industry. Recently he reported that Walmart's pricing is less aggressive than we have seen in recent years, which is good news.



**Bruce Lund**

Lund & Company Invention, L.L.C.

Walmart typically sells promotable products below their cost, as a loss leader to draw in customers. Such below-cost selling of highly promoted products is negative in several ways:

1. It gives the consumer an unrealistic expectation of what toys of that sort should sell for, perhaps making them less willing to pay the normal price for other toys where the retailer margin is included in the retail price. That unrealistic expectation of what a toy should cost can carry over in the consumers' minds to other product categories, and perhaps into the following year, causing them resist purchases of toys at normal retail prices. This can have long term negative effects on toy sales.



2. Let's see, what was 2? Oh, right! Predatory pricing forces other retailers to also sell at a loss, OR cancel orders for that promotable product because they cannot compete with the artificially low price that has been set. The end result is that the toys will ultimately sell fewer units because Walmart will be the only game in town selling it. The toy manufacturers and even the inventors suffer.

Do you have any thoughts on other negative consequences of predatory, below wholesale, and loss leader selling of lead promotable toy products? I'm sure there are more unintended consequences. Thankfully, so far this year the above seems not to be happening, and that is a good thing. So far.

# EXHIBIT 23

## (I) INVESTOPEDIA

### Menu Costs

By root | June 28, 2010

#### DEFINITION

An economic term used to describe the cost incurred by firms in order to change their prices. How expensive it is to change prices depends on the type of firm. For example, it may be necessary to reprint menus, update price lists or retag merchandise on the shelf. Even when there are few apparent costs to changing prices, changing prices may make customers apprehensive about buying at a given price, resulting in a menu cost of lost sales.

#### INVESTOPEDIA EXPLAINS

The net result of menu costs is that prices are sticky. That is to say, firms are hesitant to change their prices until there is a sufficient disparity between the firm's current price and the equilibrium market price. In theory, a firm should not change its price until the price change will result in enough additional revenues to cover the menu costs. In practice, however, it may be difficult to determine the equilibrium market price or to account for all menu costs, so it is hard for firms and consumers to behave precisely in this manner.

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# EXHIBIT 24

5/28/2015

Malone People Mail - Wholesale purchase



Josh Malone &lt;josh@malonepeople.net&gt;

---

## Wholesale purchase

---

Chris Garcia &lt;chris@starcoimpex.com&gt;

Thu, Apr 23, 2015 at 11:05 AM

To: info@bunchoballoons.com

Good morning, My name is Chris Garcia and I would like to receive information on your your **Bunch of balloons product. Please let me know what would be my price buying by cases. I'm also checking Balloon Bonanza product, I need to have a god price to start my purchase as soon as possible.** Please call me 409-840-9601 and ask for Chris. Thank you so much for your time and have a great day.

Sincerely yours,



**Christian E. Garcia**

**National Sales**

Phone: 409-840-9601

Fax: 409-842-5653

Email: chris@starcoimpex.com

WWW.STARCOIMPEX.COM

**Leading Master Distributor of Consumer Goods**

**" A team is a group of people who may not be equal in experience, talent, or education but in commitment."**



# EXHIBIT 25

Dashboard Industries Brands Spots Networks Shows

My Reports BETA

My Account

Life &amp; Entertainment Toys &amp; Games / Balloon Bonanza: Super-Duper Fast and Easy

## Balloon Bonanza TV Spot, 'Super-Duper Fast and Easy'

Overview Performance Digital Metrics TV Metrics Creative

## Airing Details

12/14/2014

04/10/2015

Go

(10) Networks

Shows

Filter

Advanced

Total Networks

10

Total Shows

60

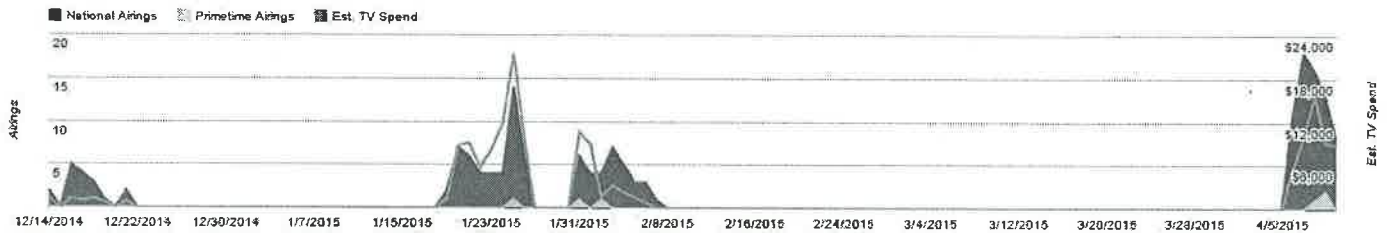
National Airings

163

Est. TV Spend

\$160,600

National Airings By Date



## Most Recent Airings

CSV XLS

Creative	Network	TV Show	Duration	Type	Date/Time (PT)
Super-Duper Fast and Easy - 7_uM	Cartoon Network	Pokémon: XY	120s	National	04/10/2015 07:11 AM
Super-Duper Fast and Easy - 7_uM	Cartoon Network	The Amazing World of Gumball	120s	National	04/10/2015 06:41 AM
Super-Duper Fast and Easy - 7_uM	ESPNU	College Swimming & Diving	120s	National	04/10/2015 05:52 AM
Super-Duper Fast and Easy - 7_uM	ESPNU	College Swimming & Diving	120s	National	04/10/2015 05:07 AM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Degrassi	120s	National	04/10/2015 02:54 AM
Super-Duper Fast and Easy - 7_uM	NBA TV	Inside the NBA	120s	National	04/10/2015 02:11 AM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Degrassi	120s	National	04/10/2015 01:41 AM
Super-Duper Fast and Easy - 7_uM	Disney XD	Booster	120s	National	04/10/2015 01:11 AM
Super-Duper Fast and Easy - 7_uM	Disney XD	Fish Hooks	120s	National	04/09/2015 11:26 PM
Super-Duper Fast and Easy - 7_uM	Nick Jr.	Mother and Child (Movie)	120s	National	04/09/2015 10:56 PM
Super-Duper Fast and Easy - 7_uM	Disney XD	Wander Over Yonder	120s	National	04/09/2015 10:26 PM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Big Time Rush	120s	National	04/09/2015 07:12 PM
Super-Duper Fast and Easy - 7_uM	Nick Toons	Power Rangers Megaforce	120s	National	04/09/2015 06:37 AM
Super-Duper Fast and Easy - 7_uM	MTV	Music Feed	120s	Spot	04/09/2015 05:49 AM
Super-Duper Fast and Easy - 7_uM	MTV	Music Feed	120s	National	04/09/2015 04:48 AM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Sam & Cat	120s	National	04/09/2015 04:44 AM
Super-Duper Fast and Easy - 7_uM	MTV	Clubland	120s	National	04/09/2015 03:42 AM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Degrassi	120s	National	04/09/2015 02:42 AM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Degrassi	120s	National	04/09/2015 02:11 AM
Super-Duper Fast and Easy - 7_uM	NBA TV	NBA GameTime	120s	National	04/09/2015 01:42 AM
Super-Duper Fast and Easy - 7_uM	Disney XD	Booster	120s	National	04/09/2015 01:12 AM
Super-Duper Fast and Easy - 7_uM	NBA TV	NBA GameTime	120s	National	04/09/2015 01:11 AM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Rugrats	120s	National	04/08/2015 11:45 PM
Super-Duper Fast and Easy - 7_uM	ESPNU	SEC Storied	120s	National	04/08/2015 11:13 PM
Super-Duper Fast and Easy - 7_uM	Teen Nick	Hey Arnold!	120s	National	04/08/2015 10:46 PM

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Life & Entertainment: Toys & Games / Balloon Bonanza: Super-Duper Fast and Easy  
**Balloon Bonanza TV Spot, 'Super-Duper Fast and Easy'**

Overview Performance Digital Metrics TV Metrics Creative



View/Download Ad Creative

Effectiveness ⓘ



Rating: 8.5  
 Industry Average: 6.3

First Tracked

12/14/2014

Last Tracked

04/13/2015

National TV Status ⓘ

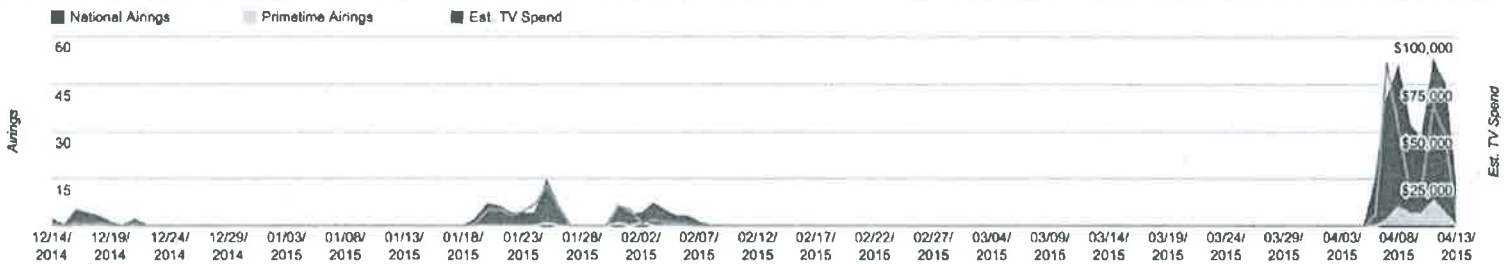
Active

Spot Highlights

Highlights Compared

more

Airings vs Est. TV Spend



Social Actions ⓘ

more

2,223

Online Views ⓘ

more

651

Searches ⓘ

more

68,452

National Airings ⓘ

more

368

Primetime Airings ⓘ

more

31

Est. TV Spend ⓘ

more

\$416,658

Network Targeting Based on 12 tracked

Most Engaging by Digital SOV ⓘ

more

Teen Nick	39.63%
Nick	18.79%
Cartoon Network	18.35%

Least Engaging by Digital SOV ⓘ

more

NBC	0.00%
ESPNU	0.00%
The HUB	0.00%

Highest Est. TV Spend ⓘ

more

Cartoon Network	\$120,149
Disney XD	\$99,472
Teen Nick	\$60,501

Most Airings ⓘ

more

Disney XD	123
Teen Nick	96
Nick Toons	53

Show Targeting Based on 121 tracked

Most Engaging by Digital SOV ⓘ

more

SpongeBob SquarePants	18.51%
Victorious	18.16%
Hey Arnold!	17.03%

Least Engaging by Digital SOV ⓘ

more

Family Guy	0.00%
Teen Kids News	0.00%
The Thundermans	0.00%

Highest Est. TV Spend ⓘ

more

Family Guy	\$53,519
Teen Titans Go!	\$24,011
The Amazing World of Gumball	\$15,217

Most Airings ⓘ

more

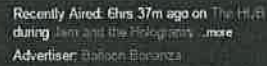
Degrassi	19
Fish Hooks	15
CatDog	14



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## Balloon Bonanza Colors Triple Offer TV Spot, 'Freaky Fast'



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Top Spenders  
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2014



## Balloon Bonanza Super Duper Fast And Easy Commercial 2014

Toy Commercials

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33,261

122 16

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Published on 18 Dec 2014

Balloon Bonanza Super Duper Fast And Easy Commercial 2014, Balloon Bonanza TV Spot, 'Super-Duper Fast and Easy'. Balloon Bonanza is filling up water balloons for the entire family super easy! Fill up 40 water balloons in a freaky fast amount of time and get down to business. You can have water balloon fights, play games, and surprise your parents quickly and easily with the amazing technology of the



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Grace Helbig on YouTube  
by Grace Helbig  
2,113,113 views



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